

2015

RULES OF PROCEDURE  
OF THE  
HOUSE OF REPRESENTATIVES  
AS PROPOSED BY THE  
HOUSE RULES STUDY COMMITTEE

\*

A REPORT TO THE 60TH TEXAS LEGISLATURE

December, 1966

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L. DEWITT HALE  
WILSON BUILDING  
CORPUS CHRISTI, TEXAS

THE STATE OF TEXAS  
**HOUSE OF REPRESENTATIVES**

AUSTIN, TEXAS

December 30, 1966

Honorable Ben Barnes  
Speaker of the House

Sir:

We, the members of the House Rules Study Committee, appointed pursuant to House Simple Resolution 607, have made a comprehensive study of the Rules of Procedure of the House of Representatives, and beg to report with the recommendation that such Rules be revised and adopted in the form and text hereto attached.

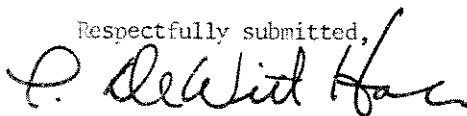
Major changes in procedure encompassed by this revision include the following:

- (1) Standing committee structure is reorganized by major functions to eliminate useless committees.
- (2) Standing committees are strengthened, given staff and continuity, and made more responsible for legislative product.
- (3) Limited seniority is established to promote continuity and expertness on committees.
- (4) A calendar system is created to control the flow of legislation and insure adequate consideration of priority matters.
- (5) Better information to members is provided by requiring standard format on bills and resolutions and by providing for analysis of legislation on committee report.
- (6) Printing requirements are strengthened to enable members to keep current on all legislation.

- (7) Deliberation on legislation is enhanced by enabling the House to control the amendment process.
- (8) Work load and responsibilities are more widely diffused among House membership.
- (9) All rules are re-codified and re-arranged in more logical order, with textual improvements to facilitate ready use by the members.

Adoption of these Rules will make the House a more responsive organ of public policy and will enable the individual member to discharge his responsibilities with an informed efficiency unknown to our forebears. History will record that the people of Texas were the big winners thereby.

Respectfully submitted,



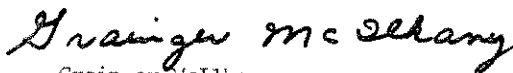
L. DeWitt Hale, Chairman



R. H. Cory



W. S. Heatly



Grainger McIlhany



Maurice S. Pipkin

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## FOREWORD

Rules distinguish organized society from a mob. The existence of rules to govern a group is more significant than the substance of those rules. Yet substance itself can prove critical on occasion. For this reason, rules are not necessarily static and immutable, but should be changed from time to time to meet changed conditions.

Each house of a parliamentary body has inherent authority to adopt its own rules of procedure. This is the unwritten law of the British system. It is provided for the United States Congress by Section 5 of Article 1 of the United States Constitution. Similar authority for the Texas Legislature is contained in Section 11 of Article 3 of the Constitution of Texas, which says in part: "Each House may determine the rules of its own proceedings.....".

Both houses of the Texas Legislature have traditionally adopted rules of procedures in the opening days of each Regular Session. Usually this involves adopting the basic rules of the preceding session, sometimes without change, occasionally with minor refinements. On rare occasions, rules of a preceding session have been rejected and massive major changes undertaken (1941 and 1963).

Major revision of the rules of procedure of the House of Representatives is difficult to achieve. Turnover is so high that each session many members get their first real exposure to parliamentary deliberation. Few members ever become sufficiently expert in the rules to appreciate the need for change. Add to this a general tendency in all areas of government to resist change as a matter of routine and you have a political climate which tends to adhere rather rigidly to the sacred subtleties of the past.

All would agree, I think, that change solely for the sake of change is undesirable. But as a corollary to this hypothesis, I hope that most would agree that it is equally undesirable to be bound rigidly to the past when a need for change is made evident by mounting problems of government.

Governmental processes were once relatively simple and problems were of manageable dimensions. Then big government began to emerge at the State level. Legislative headaches thus spawned slowly demonstrated that procedures of the past, adequate to the needs of small government and a ruraly oriented economy, were not able to challenge the problems of big government and an industrially oriented economy. Obvious cracks and weaknesses in the legislative process caused the House to make a critical review of its own procedures.

The 46th Legislature (1939) created a six man interim committee to recommend changes necessary to enable the Legislative process to keep pace with the growing problems of State Government. The committee made an excellent report. While the changes recommended appear rather modest in retrospect, they were considered fairly far reaching at the time.

Viewed today in the perspective of history, the 1940 committee report had one fatal shortcoming: it attempted to solve legislative weaknesses of a basic substantive nature by recommending only procedural changes.

Attacks on the substantive weaknesses began to be made in the early 1940s and 1950s, culminating in the introduction of a resolution in the first called session in 1954 calling for massive changes in both substantive and procedural aspects of House operations (MSR 112, House Journal, April 7, 1954, Page 311). Similar resolutions were introduced in 1955, 1957 and 1959, but in each instance the House backed away from other than minor changes. In 1959, an interim committee completed a recodification of House Rules without substantive change (House Journal, January 27, 1959, Page 127); however, in adopting its permanent rules for the 56th Legislature, the House ignored the recodification and reverted to the rules of the preceeding session (House Journal, February 5, 1959, Page 259).

Massive changes in both organization and procedure were adopted by the House on August 8, 1961, by a record vote of 74 to 67 (House Journal, August 8, 1961, Page 942). The narrow margin of adoption and the inherent difficulty of making structural changes in the middle of a session caused the House to make the changes effective at the beginning of the next regular session.

Adoption of the 1961 amendments constituted the first real breakthrough in efforts to bring the House into a posture capable of meeting effectively the problems of the present. Unlike the 1940 report, the 1961 amendments went to substance as well as procedure, and made a substantial contribution to efficient operation of the House.

Unfortunately, the 1961 Rules never had an opportunity to be tested in operation, so the effect they might have had on legislative procedure can only be surmised. On opening day of the following session, the changes were abrogated and the old rules restored (House Journal, January 8, 1963, Page 16).

Return to the old rules may have put to rest the fear of change, but the needs and problems which spawned the 1961 changes did not go away. Thoughtful members on both sides of the 1961 controversy began to have second thoughts about the wisdom of junking ten years of study and work without even a trial run. Conferences followed and resulted in MSR 607 being passed by the 1965 Session creating the House Rules Study Committee.

Changes recommended in this report by the House Rules Study Committee are too numerous to be summarized at this point. We have undertaken a comprehensive revision of the Rules of Procedure of the House of Representatives and have recommended many changes which will have far-reaching effect on the operation of the House. In arriving at these recommendations, your committee respectfully submits the following broad principles as proper criteria for any rules adopted by the House:

- (1) To the extent possible under orderly procedure, decisions in the House should be made by the majority.
- (2) Proper priority under the Rules should insure adequate consideration of major legislation.
- (3) To promote stability and expertise, the Rules should give some recognition to seniority.
- (4) Individual members must be adequately informed; the Rules should supply the tools by providing for staff, printing and research.
- (5) To the extent possible under existing law, stability and continuity are necessary in the organization and operation of the House.
- (6) Every member of the House should participate in the functions and decisions thereof; and the Rules should provide a fair distribution of the work load.

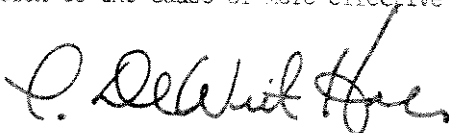
In addition to numerous substantive changes, your committee has endeavored to re-codify the entire body of House Rules in a more logical arrangement and in a more usable form, hoping thereby to enable more members of the House to become familiar with the details of our Rules of Procedure. We believe that these changes in arrangement and form, standing alone, would amply justify the time and effort which has gone into this study.

Nothing in this report is intended as a reflection upon any member or officer of the House, past or present. Each session of the Legislature must meet and solve its own problems. What past sessions did was sufficient for their day. Recommendations are directed to the future as the House seeks better ways to meet its responsibilities to the people of Texas.



In an undertaking of this magnitude, many able people made significant contributions, but only a few can be acknowledged. Special tribute should be paid to Dr. C. R. Granberry, long time Parliamentarian of the House, who worked with many members and several committees over many years in an effort to improve House procedures. Mr. Robert E. Johnson, present Parliamentarian and former member of the House, has been a real work horse for the committee, and his long experience has been invaluable to the committee on both form and substance. Many House members have made helpful recommendations to the committee. Finally, the Speaker of the House, Honorable Ben Barnes, has attended numerous committee meetings and has lent encouragement to the work of the committee at every stage of its proceedings.

As Chairman, I wish to express my deep appreciation to all members of the committee for their untiring labors on the work before us and their unyielding devotion to the cause of more effective government for all of Texas.

A handwritten signature in dark ink, appearing to read "L. DeWitt Hale". The signature is fluid and cursive, with a large, sweeping "L" and a long, trailing flourish at the end.

L. DeWitt Hale  
Chairman

Austin, Texas  
December, 1966

## RULE I

### DUTIES AND RIGHTS OF THE SPEAKER

Section 1. The Speaker shall take the Chair on each calendar day precisely at the hour to which the House shall have adjourned or recessed at its last sitting and shall immediately call the members to order.

Section 2. He shall preserve order and decorum. In case of disturbance or disorderly conduct in the galleries or in the lobby, he may cause these areas to be cleared on his own order. He shall see that the members of the House conduct themselves in a gentlemanly manner in accordance with accepted standards of parliamentary conduct, and may, when necessary, order the Sergeant-At-Arms to clear the aisles and seat the members of the House so that business may be conducted in an orderly manner. He shall enforce, apply and interpret these Rules in all deliberations of the House.

Section 3. He shall have general control, except as otherwise provided by law, of the Hall of the House, its lobbies, galleries, corridors, passages and other rooms in those parts of the Capitol Building assigned to the use of the House; provided, however, that the Hall of the House shall not be used for any meeting other than legislative meetings during any Regular or Special Session of the Legislature unless specifically authorized by resolution.

Section 4. He shall lay before the House its business in the order indicated by the Rules, and shall receive propositions made by members, and put them to the House, and shall enforce the Rules of the House, and the Legislative Rules prescribed by the Statutes and Constitution of Texas.

Section 5. He shall rise to put a question but may state it sitting; and he shall put the question distinctly in this form, to wit: "As many as are in favor (here state the question or proposition under consideration), say 'Aye';" and after the affirmative vote is expressed, "As many as are opposed say 'No' ". If the Speaker be in doubt as to the result, or if a division is called for, the House shall divide: those in the affirmative on the question shall register "Aye" on the voting machine, and those in the negative on the question shall register "No". Such votes shall not be printed in the Journal unless a record vote of Yeas and Nays is called for by not less than three members of the House prior to the announcement of the result by the Speaker.

Section 6. The Speaker shall have the same right as other members to vote. He, or a member temporarily presiding, not having voted, may cast a deciding vote at the time such opportunity becomes

official, be it to make or break a tie. In case of error in a vote, the correction of which leaves decisive effect to the vote of the Speaker, or member temporarily presiding, his deciding vote may be cast even though the result has been announced.

Section 7. He shall decide on all questions of order subject to an appeal to the House made by any ten members. Pending an appeal, the Speaker shall call a member to the Chair who shall not have the authority to entertain or decide any other matter or proposition until the appeal has first been determined by the House. The question on appeal is, "Shall the Chair be sustained?"

No member shall speak more than once on an appeal unless he is given leave by a majority of the House. No motion shall be in order, pending an appeal, except a motion to adjourn, a motion to lay on the table, a motion for the previous question, or a motion for a Call of the House. Appeals may not be taken from parliamentary enquiries or from decisions of recognition made by the Chair.

Section 8. Except as otherwise provided by law or the Rules of the House, the Speaker shall appoint all Select Committees, all Conference Committees, and shall fill all vacancies on the Standing Committees of the House in accordance with Rule VIII, unless otherwise specifically directed by the House. The Speaker shall also name the Chairman and Vice-Chairman of each Standing Committee, in accordance with the provisions of Rule VIII, shall name the Chairman of each Select Committee and each Conference Committee, and may, if he so desires, also name the Vice-Chairmen thereof. In the event the Speaker fails to name the Chairman or Vice-Chairman of a particular committee, such positions shall be filled in order of seniority pursuant to Rule VIII.

Section 9. All Bills, Joint Resolutions, and Concurrent Resolutions shall be signed by the Speaker in the presence of the House, as required by the Constitution; and all Writs, Warrants, and Subpoenas issued by order of the House shall be under his hand and attested by the Chief Clerk, or the person acting as Chief Clerk.

Section 10. The Speaker shall have the right to name any member to perform the duties of the Chair and may, if he desires, name a member to serve as permanent Speaker Pro Tempore. If a permanent Speaker Pro Tempore is named, he shall, in the absence or inability of the Speaker, call the House to order and perform all other duties of the Chair in presiding over the deliberations of the House and shall perform such other duties and exercise such other responsibilities as may be assigned by the Speaker. If the House is not in Session, and a permanent Speaker Pro Tempore has not been named, the Speaker may deliver a written order to the Chief Clerk, with a copy to the Journal Clerk, naming the member who shall call the House to order and preside during his absence.

Section 11. All officers and employees of the House shall be selected and appointed by the Speaker and he shall have the right to discharge any of them. Officers and employees of the House shall receive such compensation as the House may, by Resolution, determine; or, in the absence of such determinations by the House, such compensation as the Speaker shall determine. No officer or employee of the House, except the Chaplain, shall be permitted to receive, directly or indirectly, either by gift or otherwise, any compensation from any other source, except as may be specifically authorized by the Speaker.

## RULE II

### MASCOTS

Section 1. Only children of House members under the age of twelve years shall be eligible for election to the honorary office of Mascot.

Section 2. All resolutions and motions concerning mascots shall be read by the Reading Clerk and shall be automatically referred to the Committee on House Administration.

Section 3. The Committee on House Administration shall not report such resolutions to the House separately, but shall hold all of the resolutions until the House panel picture is ready to be prepared, at which time the committee shall report by furnishing a complete list of the proposed mascots to the House for election.

Section 4. After the House Mascots are elected, the Speaker shall issue a certificate, attested by the Chief Clerk, showing the election of each mascot and deliver same, or a copy thereof, to the parent member of such child.

Section 5. Pictures of mascots shall appear on the panel picture of the House. No separate classification or special title shall be given to any mascot, but all shall receive the same office of Honorary Mascot of the House of Representatives.

Section 6. A child once named a mascot shall not be eligible for such honor a second time.

## RULE III

### DUTIES OF THE SERGEANT-AT-ARMS

Section 1. The Sergeant-At-Arms shall attend the House and the Committee of the Whole during all meetings, and shall maintain order under the direction of the Speaker or other presiding officer.

Section 2. Under the direction of the Speaker, he shall have charge of and shall maintain order in the Hall of the House, its lobbies, galleries and all other rooms in the Capitol Building assigned for the use of the House of Representatives.

Section 3. He shall execute the commands of the House and shall serve the writs and processes issued by the authority of the House and directed to him by the Speaker.

Section 4. He shall keep his office open on such days and for such hours as shall be determined by the Speaker, or by the Committee on House Administration.

Section 5. Assistants to the Sergeant-At-Arms shall assist the Sergeant-At-Arms in the performance of his duties and shall have the same authority, subject to the control of the Speaker.

Section 6. Other than newspapers that have been published at least once a week for a period of one year, the Sergeant-At-Arms shall not allow the distribution of any printed matter in the Hall of the House of Representatives unless first authorized in writing by at least one member of the House. The Sergeant-At-Arms shall keep such written authorization and a record of the matter distributed in the permanent files of the House.

Section 7. He shall be responsible for distribution to the members of the House of printed copies, at each printing, of bills, resolutions, conference committee reports, and Senate amendments to House bills or resolutions. Such distribution shall be made as quickly as possible after receipt thereof from the printer. He shall maintain a record of the fact, date and hour of each such distribution, which record shall be prima facie evidence of the facts thus recorded.

Section 8. He shall keep a record of the date and hour that printed bills, resolutions, conference committee reports, and Senate amendments to House bills are returned from the printer. He shall time-stamp such information on the originals of printed bills, resolutions, conference committee reports and Senate amendments to House bills, as well as the time the printed copies thereof are distributed to the members of the House under his direction.

Section 9. If a committee requires copies of material to be distributed to its members, the distribution thereof shall be handled by the Sergeant-At-Arms in the same manner and under the same procedures as for printed copies of bills. The author or sponsor of the material shall make available to the Sergeant-At-Arms a sufficient number of copies to enable the Sergeant-At-Arms to make distribution to each member of such committee. Records in the office of the Sergeant-At-Arms shall be prima facie evidence of the fact, date and hour of the distribution of such material.

## RULE IV

### DUTIES OF THE CLERKS

Section 1. The Chief Clerk shall have general charge and supervision, under the direction of the Speaker and the Administrative Officer, over the general secretarial and clerical work of the House. He shall attest all writs, warrants and subpoenas issued by order of the House, and shall certify to the passage of bills and resolutions, noting thereon the date of their passage and the vote by which they were passed, if by record vote. He shall also note on the originals of bills and resolutions all pertinent information regarding the action thereon by the House.

Section 2. The Chief Clerk shall issue all warrants and vouchers of whatever character, except warrants or vouchers issued by the Committee on House Administration, and he shall keep accurate accounts with all members and employees of the House.

Section 3. The Chief Clerk shall provide each member, officer and employee of the House with an identification card, which shall be signed by the Speaker and the Chief Clerk, showing membership or service in the House of Representatives. For members, such cards shall show the name of the member and the years of the current biennium for which he was elected. The cost of the cards shall be paid out of the Contingent Expense Fund of the House.

Section 4. The Chief Clerk shall number in their order of filing, with a separate sequence for each, all bills, joint resolutions, concurrent resolutions, and simple resolutions.

Section 5. All petitions presented by members of the House shall be filed with the Chief Clerk, and referred by the Speaker to the committee considering the question to which they relate.

Section 6. All messages from the House to the Senate shall be transmitted by the Chief Clerk, or his representative, over the signature of the Chief Clerk.

Section 7. The Chief Clerk shall transmit to the Senate typewritten copies of all amendments to Senate bills exactly as adopted by the House. In case an amendment as substituted is adopted, the Chief Clerk shall transmit the substitute as an original amendment.

Section 8. The Chief Clerk shall notify the Speaker in writing when the Senate refuses to concur in House amendments to a bill or resolution and asks for a conference committee. Such notice shall contain a list of the names of the Senate conferees.



Section 9. Reports of select committees shall be filed with the Chief Clerk and printed in the Journal or otherwise made available to members of the House as directed by the Speaker. Reports of standing committees shall be listed in the Journal.

Section 10. On the day the Chief Clerk numbers a bill relating to a conservation and reclamation district created under Section 59 of Article 16, Constitution of Texas, he shall send two copies of the bill, with two copies of the notice of intention to introduce the bill, to the Governor, if the bill is one to:

- (1) Create a particular conservation and reclamation district; or
- (2) Amend the act of a particular conservation and reclamation district to:
  - (a) Add additional land to the District; or
  - (b) Alter the taxing authority of the District; or
  - (c) Alter the authority of the District with respect to issuing bonds; or
  - (d) Alter the qualifications or terms of office of the members of the governing body of the District.

Section 11. Not later than thirty days after the close of each session, each of the various clerks of the House, except the Journal Clerk, shall file with the Chief Clerk all reports, records, bills, papers, and other documents remaining in their hands, and all such material shall in turn be filed by the Chief Clerk with the Secretary of State, unless otherwise provided by law or dictated by custom.

Section 12. The Calendar Clerk shall keep a complete record of introduction and action on all bills and resolutions. This record shall include the number, author, brief description of the subject matter, and committee reference. It shall also show in time sequence the action taken on all bills and resolutions so as to reflect at all times their status in the legislative process.

Section 13. All bills and resolutions referred to committee shall be filed with the Calendar Clerk, who shall be the custodian of such bills and resolutions while they are in committee and until they are assigned to an appropriate calendar by the Rules Committee. All such bills and resolutions shall be placed in individual file boxes assigned to the various committees. Bills and resolutions may be checked out by the Calendar Clerk to members, to committee chairmen, to committee clerks, and other house employees and officers for

official use. A record of check-outs and returns shall be kept by the Calendar Clerk. He shall also obtain a receipt for bills, resolutions and conference reports transmitted under established procedures to the printer, the Speaker, and the Enrolling and Engrossing Clerk.

Section 14. When the recommendation of the Texas Water Commission on a bill forwarded to the Commission for its recommendations under Section 59 of Article 16, Constitution of Texas, are filed with the Speaker of the House, the Speaker shall deliver the recommendations to the Calendar Clerk, who shall attach them to the bill to which they apply, and notify the Chief Clerk and the Journal Clerk that the recommendations have been filed. A copy of the recommendations shall be delivered to the Chief Clerk.

Section 15. The Calendar Clerk shall have charge of the printing of bills, resolutions, Senate amendments to House bills, and conference reports, as provided by the rules or by a vote of the House. He shall keep an exact record of the dates and the hours of the delivery of bills or resolutions to the printer. He shall see that all bills are printed in the order of their delivery to the printer, unless otherwise ordered by the House or by the Speaker.

Section 16. When Senate amendments to House bills arrive at the Chief Clerk's desk from the Senate, copies thereof shall be made by the Calendar Clerk for insertion in the Journal, before the amendments and the bill or resolution to which they relate are sent to the Engrossing and Enrolling Clerk or to the Speaker's table, as the case may be.

Section 17. The Calendar Clerk shall keep his office open on such days and for such hours as shall be determined by the Speaker or by the Committee on House Administration and at such other hours as the House or committees thereof may be in session. He shall have charge of all petitions, memorials and like matter referred to the committees. When such matters have been returned, he shall transmit them to the Chief Clerk.

Section 18. The Journal Clerk shall keep a journal of the proceedings of the House, in which all proceedings shall be entered as precisely and accurately as possible, except when the House is acting as the Committee of the Whole. There shall be entered in the Journal the number, author and caption of every bill introduced. Except as otherwise provided herein, all simple and concurrent resolutions, motions, amendments, questions of order and decisions thereon, messages from the Governor, and messages from the Senate, shall be printed in full in the Journal. Notations shall be made in the Journal of the number and subject matter of all bills, joint resolutions, and concurrent resolutions signed in the presence of the House. Reports made by standing committees shall be listed in the Journal. Reports of select committees shall be printed in full in the Journal, unless otherwise ordered by the House.

Section 19. Every record vote or registration of the House shall be entered in the Journal with a concise statement of the action and of the result.

Section 20. All pairs shall be entered in the Journal as a part of a record vote. Reasons for vote may be filed with the Journal Clerk for publication in the Journal. Members may have their votes recorded in the Journal as "Yea" or "Nay" on non-record votes by filing such information with the Journal Clerk.

Section 21. Senate amendments to House bills or resolutions shall be printed in full in the Journal when concurred in by the House.

Section 22. The Journal Clerk shall note in the Journal the date each bill is transmitted to the Governor and the date recommendations of the Texas Water Commission are filed with the Speaker of the House concerning each bill subject to Section 59 of Article 16, Constitution of Texas.

Section 23. The Daily Journal for each calendar day the House is in session shall be printed under the supervision of the Journal Clerk, and copies thereof provided each member of the House at the earliest practicable date, if possible on the succeeding calendar day.

Section 24. The Engrossing and Enrolling Clerk shall be responsible for the typing, without erasures, interlineations, or additions in the margin, all House bills and House Joint Resolutions that have passed second reading and have been ordered engrossed, all House bills and House Joint Resolutions that have passed third reading, and were amended on third reading, and all House Concurrent Resolutions that have passed the House. Engrossed riders shall not be used. All Engrossed and Enrolled Bills and Resolutions shall be submitted to the Committee on Enrolled and Engrossed Bills for its examination, correction and approval before the work is returned to the House. The Enrolling and Engrossing Clerk shall perform such other clerical work for the House, its members, or its committees, as may be ordered by the House or by the Speaker. In the event that a joint facility for the enrollment of bills is provided by the Joint Legislative Committee on Administration, the physical task of engrossing and enrolling bills and resolutions shall be entrusted to such joint facility, and it shall be the duty of the Engrossing and Enrolling Clerk of the House to maintain liason with such joint facility, to maintain accurate and complete records of all House bills and resolutions sent to the joint facility for engrossment or enrollment, and to report to the House committee on Enrolled and Engrossed Bills any discrepancies noted or any un-necessary delays in the work of the joint facility in engrossing or enrolling House bills or resolutions.

Section 25. The Engrossing and Enrolling Clerk shall retain a copy of each bill passed by the House which was amended on second or third reading. Any member desiring copies of such bills may request them from the Engrossing and Enrolling Clerk, with the cost thereof to be charged to the contingent expense account of such member.

Section 26. The Engrossing and Enrolling Clerk is authorized to amend the captions of all House bills and House Joint Resolutions which are ordered engrossed or which are finally passed, to conform to the bodies of such bills or resolutions; provided, however, that each caption so amended shall be submitted by the Clerk to the author or sponsor of the bill or resolution and shall be approved in writing by such author or sponsor before becoming official.

Section 27. The Engrossing and Enrolling Clerk shall enroll all House bills, House Joint Resolutions, and House Concurrent Resolutions which have passed both houses and are ready to be signed and presented to the Governor. All such enrolled bills and resolutions shall be typewritten without erasures, interlineations, or additions in the margin. After typing has been completed, such bills or resolutions shall be presented to the Committee on Enrolled and Engrossed Bills, which committee shall examine such bills and resolutions and determine that each is truly and correctly enrolled, following which such bill or resolution shall be reported to the House for the signature of the Speaker prior to transmittal to the Senate and thence to the Comptroller or Governor, as the case may be. In the event a joint facility for the enrollment of bills is provided by the Joint Legislative Committee on Administration, the duties of the Engrossing and Enrolling Clerk with respect to the enrollment of bills shall be identical to those duties enumerated in Section 24 hereof with respect to engrossed bills and resolutions.

Section 28. For every enrolled bill or resolution originating in the House, the Engrossing and Enrolling Clerk shall be responsible for noting thereon, for certification by the Speaker of the House, by the Lieutenant Governor, by the Chief Clerk of the House and the Secretary of the Senate, as applied to their respective bodies, the following information:

- (1) Date of final passage, and the vote on final passage, if a record vote was taken; if no record vote was taken, such fact shall be noted as "Non-Record Vote". If the bill was amended in the Senate, this fact shall also be noted.
- (2) Date of concurrence by the House in Senate amendments, and the vote by which the concurrence was made, if a record vote was taken; if no record vote was taken, such fact shall be noted as "Non-Record Vote".

- (3) Date of adoption of the conference committee report by each house, and the vote by which the conference committee report was adopted, if a record vote was taken; if no record vote was taken, such fact shall be noted as "Non-Record Vote".
- (4) Date a bill is forwarded to the Governor under Section 59(d) of Article 16, Constitution of Texas, and the date the recommendations of the Texas Water Commission concerning the bill were filed with the Speaker of the House.
- (5) If the bill contains an appropriation, a notation shall be added to the effect that the bill was passed subject to the provisions of Section 49a of Article 3 of the Constitution of Texas.
- (6) If a concurrent resolution is adopted by both houses directing the Engrossing and Enrolling Clerk to make corrections in the enrolled copy of a bill, this fact shall also be noted in the certification.

Section 29. The Reading Clerk shall call the roll of the House in alphabetical order of the names of the members when ordered to do so by the Speaker. He shall control the opening and closing of the voting machine on registrations and shall record votes from the Floor, as directed by the Speaker. He shall read all bills, resolutions, motions and other matters required by the rules or directed by the Speaker to be read. He shall remain standing while reading, calling the roll, or taking a registration. He shall prepare official copies of all record votes for the Journal. He shall not make any additions, subtractions, or other changes in any record vote or registration unless the House specifically grants permission therefor, or unless directed to do so by the Speaker. In the event of the absence, resignation or death of the Chief Clerk, the Reading Clerk shall, at the direction of the Speaker, take charge of and attend to all the duties of the office of the Chief Clerk until the Chief Clerk returns or until his successor is chosen.

Section 30. The Contingent Expense Clerk, under the direction of the Committee on House Administration, shall keep an itemized account of all supplies and merchandise of whatever kind and description or other expenditure authorized by the committee, from whom ordered, and the price paid therefor. These records shall at all times be open to the inspection of any member of the House. Under the direction of the Committee on House Administration, the Contingent Expense Clerk shall procure and keep for the use of the House, its members, and its officers, such equipment, stationery, and other supplies as may be ordered by the House or by the Committee on House

Administration. He shall keep an itemized account of the quantity of every kind of material received, the date it was received, and the price paid therefor, the person for whom it was received, and to whom it was delivered, with the date and quantity of each delivery. The Contingent Expense Clerk shall prepare travel vouchers for members and officers of the House authorized to perform travel for reimbursement out of the Contingent Expense Fund of the House, and shall route such travel vouchers to the proper persons for signature and approval. He shall perform such other duties as may be assigned to him by the Committee on House Administration or by the Speaker.

Section 31. No clerk, employee, or officer of the House, other than the Speaker, shall, directly or indirectly, attempt to influence any member of the House in favor of or against any measure pending before the Legislature, nor shall any clerk, employee or other officer use his official position in aiding anyone to lobby for or against any measure pending in the Legislature. Violation of this rule shall subject such clerk, employee or other officer of the House to discharge by the Speaker for misconduct. This section shall not apply when such persons are answering questions or giving information at the request of any member of the House. Any standing or select committee of the House may, by majority vote, grant any clerk, officer or employee the right to appear before such committee and make known his views on any measure pending before such committee.

Section 32. All employees of the House shall report and be on duty on such days and at such hours as may be determined by the Committee on House Administration, which shall include hours the House or committees to which they have been assigned may be in session, or as otherwise directed by the Speaker.

Section 33. Clerks, employees, and officers of the House, whether serving during a session or in an interim between sessions, are hereby strictly prohibited from compiling or releasing to any person or persons information concerning the voting record of any member of the House for any session of the Legislature. This rule shall not apply where a member requests information about himself for his personal use, nor to the publication by officers and employees of the House of the Journal and other official records.

## RULE V

### DUTIES OF THE DOORKEEPER AND CHAPLAIN

Section 1. The Doorkeeper shall enforce strictly the Rules of the House relating to privileges of the Floor, and shall perform such other duties, under supervision of the Sergeant-At-Arms, as directed by the Speaker.

Section 2. When a Call of the House is ordered, the Doorkeeper shall not permit any member to leave the House without written permission from the Speaker. He shall take up such permission cards as members leave the Hall. He shall also take up permission cards of those who are admitted to the Floor of the House under the rules and practice of the House.

Section 3. When a messenger from the Governor or the Senate arrives at the Bar of the House, the Doorkeeper shall obtain recognition from the Speaker, and then announce the messenger to the House.

Section 4. When the Governor or the Senate arrives at the Bar of the House for official proceedings in the House, the Doorkeeper shall obtain recognition from the Speaker and then announce the arrival of the Governor or the Senate, as the case may be.

Section 5. The Chaplain shall open the first session on each calendar day with a prayer, and shall perform such other duties as directed by the Speaker.

## RULE VI

### DUTIES OF THE ADMINISTRATIVE OFFICER

Section 1. Subject to direction by the Speaker and the Committee on House Administration, the Administrative Officer shall be in charge and responsible for the supervision of all officers and employees of the House in the conduct of their official duties. He shall organize all administrative and clerical operations of the House, shall be responsible for the co-ordination of all housekeeping functions, and shall make recommendations to the Committee on House Administration for the improvement of the clerical and administrative processes of the House.

Section 2. The Administrative Officer shall work under the direction of, and shall be responsible to, the Committee on House Administration, which committee shall determine the policies to be administered by the Administrative Officer in conducting the administrative and clerical processes of the House.

Section 3. The Administrative Officer shall be responsible for analyzing the duties and responsibilities of each position to be filled by an employee of the House, or any committee thereof, shall recommend an appropriate classification for such position, and shall devise and recommend to the Committee on House Administration a classification plan and a pay plan for all House employees, predicated upon the employment principle of equal pay for equal work. The Administrative Officer shall be responsible for the administration of such classification plan and such pay plan, if and when adopted by the Committee on House Administration.

Section 4. Any officer or employee of the House having a grievance, complaint or recommendation, shall present same to the Administrative Officer, whose decision thereon shall be final unless changed by the Committee on House Administration or by the Speaker.

Section 5. The Administrative Officer shall perform such other duties as may be delegated or assigned to him by the Committee on House Administration or by the Speaker.



## RULE VII

### STANDING COMMITTEES

Section 1. Rules. Eleven members, with jurisdiction over: (1) Rules of the House, Joint Rules, and all amendments proposed to either; (2) all proposals for legislative investigations and invitations to appear before or address the House or a Joint Session; (3) the calendar system, assignment of bills and resolutions to appropriate calendars, and the granting of rules for Floor consideration of bills and resolutions; (4) all procedures for expediting the business of the House in an orderly and efficient manner; (5) assisting the Speaker in deciding the order of recognition for suspensions; and (6) such other matters concerning rules, procedures, and operation of the House as may be assigned by the Speaker.

Section 2. House Administration. Seven members, with jurisdiction over: (1) administrative operation of the House and its employees; (2) the Contingent Expense Fund of the House, with full control over all expenditures therefrom; (3) all property, equipment and supplies obtained by the House for its use and the use of its members; (4) all office space available for the use of the House and its members; (5) all admissions to the Floor during sessions of the House; (6) all radio and television, live or recorded, of sessions of the House; and (7) all witnesses appearing before the House or any committee thereof in support of or in opposition to any pending legislative proposal.

Section 3. Appropriations. Twenty-one members, with jurisdiction over: (1) all bills and resolutions appropriating money from the State Treasury; (2) all bills and resolutions containing provisions resulting in automatic allocation of funds from the State Treasury; (3) all bills and resolutions diverting funds from the State Treasury or preventing funds from going therein which otherwise would be placed in the State Treasury; and (4) all matters pertaining to claims and accounts filed with the Legislature against the State; unless jurisdiction over such bills and resolutions is specifically granted herein to some other standing committee.

Section 4. Judiciary. Twenty-one members, with jurisdiction over: (1) all matters of civil law including rights, duties, remedies and procedures thereunder; (2) all matters relating to civil procedure in the courts of Texas; (3) all proposals concerning Uniform State Laws; (4) all proposals creating, changing, or otherwise affecting courts or judicial districts of the State; (5) all matters pertaining to the State Bar of Texas; (6) all other matters pertaining to courts and court procedures not specifically assigned to some other standing committee by these rules; (7) all matters pertaining to workmens Compensation and to the Industrial Accident Board of the State of Texas, its organization, duties and responsibilities; (8) all

matters pertaining to the organization, incorporation, management and regulation of private corporations; (9) all proposals to re-codify any portion of the civil statutes; and (10) all resolutions requesting permission to sue the State.

Section 5. Criminal Jurisprudence. Twenty-one members, with jurisdiction over: (1) all matters of criminal law, prohibitions, standards, and penalties; (2) all matters relating to criminal procedure in the courts of Texas; (3) all proposals for the revision or amendment of the Penal Code of the State of Texas, unless jurisdiction thereof is assigned to some other standing committee by these rules; and (4) all matters pertaining to the Board of Pardons and Paroles, its organization, duties and responsibilities.

Section 6. Revenue and Taxation. Twenty-one members, with jurisdiction over: (1) all bills and resolutions proposing to raise revenue; (2) all bills or resolutions proposing to levy taxes or other fees; (3) all proposals to modify, amend, or change any existing tax or revenue statute; and (4) all proposals to regulate the manner of collection of state revenues and taxes.

Section 7. State Affairs. Twenty-one members, with jurisdiction over: (1) all questions and matters of State policy; (2) all matters pertaining to the administration of State Government; (3) all matters pertaining to the organization, regulation and management of State departments and agencies; and (4) all proposals concerning the compensation and duties of officers of the State Government; unless jurisdiction over such matters and proposals is specifically granted herein to some other standing committee.

Section 8. Constitutional Amendments. Twenty-one members, with jurisdiction over: (1) all proposals to amend the Constitution of the State of Texas; and (2) all proposals to ratify pending amendments to the Constitution of the United States.

Section 9. Education. Twenty-one members, with jurisdiction over: (1) all matters and proposals relating to education; (2) all matters and proposals pertaining to the Public Schools and the Public School System of Texas; (3) all matters and proposals pertaining to education beyond the high school, including jurisdiction over all colleges and universities of the State of Texas; (4) all matters and proposals relating to the Texas Education Agency, the Co-Ordinating Board for Higher Education, and the Boards of Regents of the several colleges and universities of the State; and (5) all proposals to create, change or otherwise affect school districts of the State.

Section 10. State Institutions. Twenty-one members with jurisdiction over: (1) all proposals concerning state hospitals; special schools, and other eleemosynary institutions of the State; (2) all matters pertaining to mental health and retardation;

(3) all matters relating to the penal institutions of the State; (4) all matters relating to the protection of public health, including control of the practice of medicine, pharmacy, dentistry, and the healing arts; (5) all matters pertaining to air and water pollution and the control thereof; (6) all matters relating to public lands, including university lands, public school lands, and asylum lands of the State; (7) all matters pertaining to the organization of the General Land Office, and the compensation and duties of its employees; (8) all matters relating to the construction, maintenance, and arrangement of State Buildings, and the care and maintenance of the grounds, cemeteries and parks belonging to the State; and (9) all matters relating to printing to be furnished to the State, its departments and institutions.

Section 11. Inter-Governmental Relations. Five members, with jurisdiction over: (1) all matters involving the relations between the State and the Federal Government; (2) all matters relating to interstate compacts and the relations between Texas and other sovereign states of the United States; (3) all matters pertaining to the Council of States Governments and the participation of Texas therein; (4) all matters pertaining to the Army, Navy, Marines, Air Force, and other branches of the military services of the United States; (5) all matters pertaining to the defense of the State and Nation; (6) all proposals affecting veterans of military and related services; and (7) all matters relating to the Adjutant General's Department and the various military units under its jurisdiction and supervision. Members of this committee are hereby designated as the House members to serve on the Texas Commission on Interstate Co-operation, as created by the provisions of Article 4413b-1, Vernon's Annotated Civil Statutes of the State of Texas.

Section 12. Elections. Twenty-one members, with jurisdiction over: (1) all matters relating to the right of suffrage in the State of Texas; (2) all proposals affecting Primary, Special, and General Elections of the State; (3) all proposals to revise, modify, amend or change the Election Code of the State of Texas; and (4) all contested elections to the House of Representatives.

Section 13. Enrolled and Engrossed Bills. Five members, with jurisdiction over: (1) all bills and resolutions enrolled in the House, with the responsibility for examination and determination of their proper enrollment; and (2) all bills and resolutions engrossed in the House, with the responsibility for examination and determination of the accuracy of the engrossment and the proper insertion if all amendments adopted thereto.

Section 14. Local Government. Fifteen members, with jurisdiction over: (1) all matters relating to counties, their creation, organization, boundaries, government and finances, and the compensation and duties of their officers; (2) all matters relating to other units of local government not otherwise assigned by these rules to

other standing committees; and (3) all proposals affecting the reapportionment or redistricting of Texas into congressional or legislative districts, unless otherwise assigned to a select committee by resolution adopted by the House.

Section 15. Urban Affairs. Fifteen members, with jurisdiction over: (1) all matters relating to municipalities and town corporations, their creation, organization, powers, government and finances, and the compensation and duties of their officers; (2) all matters relating to home rule cities, their relationship to the State and their powers, authority, and limitations; and (3) all proposals for the creation or change of metropolitan areas and the form of government to be used therein.

Section 16. Business Affairs. Fifteen members, with jurisdiction over: (1) all problems of banking, the state banking system, and the State Department of Banking; (2) all matters relating to savings and loan associations and the state agency regulating and controlling such institutions; (3) all matters relating to the lending of money as a business undertaking, including jurisdiction over the Regulatory Loan Agency of the State of Texas; (4) all proposals affecting commerce, trade and manufacturing; and (5) all matters relating to industry and the industrial development of the State of Texas.

Section 17. Liquor Regulation. Fifteen members, with jurisdiction over: (1) regulation of the sale of intoxicating beverages and local option control thereof; (2) all proposals to revise, modify, amend or change the Texas Liquor Control Act; and (3) all matters relating to the Texas Liquor Control Board, its organization, functions, and responsibilities.

Section 18. Transportation. Fifteen members, with jurisdiction over: (1) control, regulation, licensing and operation of commercial motor vehicles, both bus and truck; (2) the Texas Highway System and all roads, bridges, and ferries constituting a part thereof; (3) licensing of private passenger vehicles to operate on roads and highways; (4) regulation and control of traffic on the public highways of the State; (5) all matters pertaining to the Texas Highway Department, its organization, functions, and responsibilities; and (6) the Texas Railroad Commission, its organization, functions, and responsibilities on all matters pertaining to transportation over public roads and highways.

Section 19. Common Carriers. Fifteen members, with jurisdiction over: (1) railroads, street and interurban railway lines, steamship companies and express companies; (2) telegraph and telephone companies, and other means of communication; (3) pipelines and pipeline companies and all others operating as a common carrier; (4) the Texas Railroad Commission, its organization, functions and responsibilities on all matters pertaining to common carriers other

than bus and truck; and (5) airports and air traffic, airlines, and other organizations engaged in transportation by means of aerial flight.

Section 20. Agriculture and Livestock. Twenty-one members, with jurisdiction over: (1) all matters relating to agriculture, horticulture, and farm husbandry; (2) all matters relating to livestock and the livestock industry; and (3) all matters pertaining to the Department of Agriculture, its organization, functions and responsibilities.

Section 21. Conservation. Twenty-one members, with jurisdiction over: (1) conservation of the natural resources of Texas; (2) control of water and water resources, including the taking, storing, control and use of allwaters within the State, their appropriation and allocation; (3) all matters pertaining to irrigation and the incorporation, management and powers of irrigation companies and irrigation districts; (4) all proposals for the improvement of rivers, harbors and other water facilities; (5) development and preservation of forests and the regulation and promotion of the lumber industry; (6) all proposals to create or change water supply districts, water control and improvement districts, conservation and reclamation districts, and all similar organs of local government dealing with water and water supply; and (7) all matters pertaining to the Texas Water Commission and the Texas Water Rights Commission, their organization, powers, functions, and responsibilities.

Section 22. Game and Fish. Fifteen members, with jurisdiction over: (1) regulation of the propagation and preservation of game and fish within the State; (2) hunting and fishing within the State, and the control thereof; (3) development and regulation of the fish and oyster industries on the coast and inland waters of the State; (4) creation, operation and control of all state parks; and (5) all matters pertaining to the Parks and Wildlife Commission, its organization, functions and responsibilities.

Section 23. Labor. Fifteen members, with jurisdiction over: (1) all proposals affecting the hours, wages, and working conditions and welfare of labor and wage earners; and (2) all matters pertaining to the Bureau of Labor Statistics, its organization, functions, and responsibilities.

Section 24. Insurance. Twenty-one members, with jurisdiction over: (1) all matters relating to insurance and the insurance industry, including fire, life, casualty and other types of insurance; (2) all insurance companies and other organizations of any type writing or issuing policies of insurance in the State of Texas, including their organization, incorporation, management, powers, and limitations; and (3) all matters pertaining to the State Board of Insurance, its organization, functions and responsibilities.

Section 25. Oil and Gas. Twenty-one members, with jurisdiction over: (1) all matters relating to the production, regulation, transportation, and development of oil, gas, and other mineral resources of the State; (2) all matters relating to mining and the development of mineral deposits within the State; and (3) the Texas Railroad Commission, its organization, functions and responsibilities, on all matters pertaining to the regulation and control of oil, gas and mineral resources.

## RULE VIII

### ORGANIZATION, POWERS AND DUTIES OF COMMITTEES

Section 1. Standing committees of the House, and the number of members and general jurisdiction of each, shall be as enumerated in Rule VII. All proposed legislation shall be referred by the Speaker to an appropriate standing committee, subject to correction by a majority vote of the House.

Section 2. At the beginning of each Regular Session, the newly elected Speaker shall appoint the full membership of the Committee on Rules and the Committee on House Administration, and shall appoint to each of the other standing committees a sufficient number of members to fill all vacancies thereon. Except for the Committee on Rules and the Committee on House Administration, appointments by the Speaker shall be limited to the filling of vacancies. Vacancies on a committee shall arise only by reason of death, failure to seek and obtain re-election, resignation, or removal by a majority vote of the entire elected membership of the House. Once appointed to a committee other than the Committee on Rules and the Committee on House Administration, a member shall be entitled as a matter of right to remain a member thereof as long as he is a member of the House, unless removed therefrom for cause by a majority vote of the entire elected membership of the House.

Section 3. At the beginning of each Regular Session, the newly elected Speaker shall select the Chairman and the Vice-Chairman of each standing committee, but until a new Chairman and a new Vice-Chairman are named by the Speaker, the old Chairman and the old Vice-Chairman shall continue to serve, if still members of the House; otherwise, an acting Chairman and an acting Vice-Chairman shall be determined by seniority, as provided in Section 4 hereof, from among the holdover members of the committee.

Section 4. Except for the Chairman and the Vice-Chairman, members of a standing committee shall rank according to their seniority, and members with the same seniority shall rank according to age. Seniority, as that term is used herein, shall mean total time served as a member of the House, which service need not be consecutive. In the absence of both the Chairman and the Vice-Chairman of a committee, the senior member present shall act as Chairman.

Section 5. No member shall serve concurrently on more than three standing committees, and no member shall serve concurrently on more than one of the following committees: Appropriations, Judiciary, Revenue and Taxation, and State Affairs. The Chairman of the Appropriations Committee shall not serve concurrently on any other standing committee. Chairmen of all other standing committees shall serve concurrently on only one other standing committee.

Section 6. Should a vacancy occur on a standing committee subsequent to its organization, the Speaker shall appoint an eligible member to fill such vacancy.

Section 7. As soon as practicable after standing committees are constituted and organized, the Committee on House Administration shall promulgate a schedule for regular meetings of all standing committees. This schedule shall be published in the House Journal and posted in a convenient and conspicuous place near the entrance of the House.

Section 8. The Rules of Procedure of the House of Representatives, and to the extent applicable, the rules of evidence and procedure in the civil courts of Texas, shall govern the hearings and operations of each standing committee. Subject to the foregoing, and to the extent necessary for orderly transaction of business, each standing committee may promulgate and adopt additional rules and procedures by which it will function.

Section 9. The Chairman of each standing committee shall be charged with the responsibility for the effective conduct of the business of such committee. He shall appoint all sub-committees and determine the number of members to serve on each sub-committee. He shall schedule the work of the committee and determine the order in which the committee shall consider and act upon various bills, resolutions and other matters referred to the committee. He shall have authority to employ and discharge such staff and employees as are authorized for his committee, and shall have supervision and control over all such staff and employees. All committee reports shall be prepared under his direction and no committee report shall be official until signed by the Chairman of the Committee, or by the person acting as Chairman. He shall determine the necessity for public hearings, schedule same at his discretion, and post or cause to be posted the notice thereof required by these rules. He shall preside at all meetings of the Committee and shall control its deliberations and activities in accordance with acceptable parliamentary procedure.

Section 10. No standing committee, or sub-committee, shall meet during the time the House is in Session without permission being given by a majority vote of the House, except that the Committee on Rules is authorized to meet at any time.

Section 11. A majority of a committee shall constitute a quorum. No action or recommendation of a committee shall be valid unless taken at a formal meeting with a quorum actually present. No committee report shall be made to the House unless ordered by a majority of such quorum in committee assembled, except as otherwise provided in these rules, and a quorum of the committee must be present when the vote is taken on reporting a bill or resolution or on taking any other formal action within the authority of the committee. Proxies can not be used in committees.



Section 12. Formal hearings by a committee or a sub-committee on a bill or resolution shall be open to the public unless otherwise determined by the Chairman with the approval of the committee. Each committee shall determine the extent to which it will permit live or recorded coverage of its meetings by radio and television.

Section 13. The Chairman, or the member acting as Chairman, shall keep or cause to be kept a complete record of the proceedings in committee. This record shall show the time and place of each meeting of the committee, the attendance of committee members, and an accurate record of all votes taken. This record shall also include such other information as the Chairman shall determine. Committee minutes shall be subject to correction only by direction of the Chairman and as authorized by a majority vote of the committee.

Section 14. Appeals from rulings of chairmen of committees shall be in order if seconded by three members of the committee, which number may include the member making the appeal. Procedure in committee following an appeal which has been seconded shall be the same as the procedure followed in the House in such situation.

Section 15. It shall be in order to move a call of a committee at any time to secure and maintain a quorum for any one or more of the following purposes:

- (a) For the consideration of a specific bill, resolution, or other matter;
- (b) For a definite period of time or for the consideration of any designated class of bills or other matters; or
- (c) For the conduct of a particular hearing or investigation of a specific matter within the jurisdiction of the committee.

When a call of a committee is moved for one or more of the foregoing purposes, and seconded by two members, of whom the Chairman may be one, and is ordered by a majority of the members present, no member shall thereafter be permitted to leave the committee hearing without written permission from the Chairman. After such call is ordered, and in the absence of a quorum, the Chairman shall have the authority to authorize the Sergeant-At-Arms to locate absent members of the committee and to compel their attendance for the duration of the call. The Chairman shall have authority, where necessary, to direct the Sergeant-At-Arms to assist him in enforcing the will of the committee.

Section 16. Before the previous question can be ordered in a committee, the motion therefor must be seconded by not less than four members of a committee consisting of twenty-one members, three

members of a committee consisting of fifteen or eleven members, or two members of a committee consisting of seven or five members. If the motion is properly seconded, and ordered by a majority vote of the committee, further debate on the proposition under consideration shall be terminated, and such proposition shall be immediately put to a vote of the committee for its action thereon.

Section 17. No motion is in order in a committee considering a bill, resolution or other matter that would prevent the committee from reporting the same back to the House in accordance with the Rules of the House.

Section 18. No action by a committee on bills or resolutions referred to it shall be considered as final unless the same is in the form of a favorable report, an unfavorable report, or a report of inability to recommend a course of action.

Section 19. Motions made in committee to report favorably or unfavorably must receive affirmative majority votes, majority negative votes to either motion being insufficient to report. If a committee is unable to agree on a recommendation for action, as in the case of a tie vote, it should submit a statement of this fact as its report, and the House shall decide, by a majority vote, the disposition of the matter by one of the following alternatives:

- (a) Leave the bill in the committee for further consideration;
- (b) Refer the bill to some other committee; or
- (c) Order the bill printed, in which case the bill shall go to the Committee on Rules for assignment to a calendar and for application of an appropriate rule for House consideration.

Section 20. During the first seventy-six calendar days of a Regular Session, when any bill, resolution or other paper shall have been in committee for six calendar days, exclusive of the calendar day on which it was referred, it shall be in order for a member to move that the committee be required to report the same within seven calendar days, which motion shall require a two-thirds vote for its passage.

After the first seventy-six calendar days of a Regular Session, when any bill, resolution or other paper shall have been in committee for six calendar days, exclusive of the calendar day on which it was referred, it shall be in order for a member to move that the committee be required to report the same within seven calendar days, which motion shall require a majority vote for its passage.

A motion to instruct a committee to report is not a privileged motion and must be made during the routine motion period unless made under a suspension of the rules.

The House shall have no authority to instruct a sub-committee directly; however, instructions recognized under the Rules may be given to a committee and shall be binding on all sub-committees thereof.

Section 21. During the first seventy-six calendar days of a Regular Session when any bill, resolution or other paper shall have been in committee for six calendar days after such committee was instructed by the House to report such bill, resolution, or other paper by a motion made under Section 20 of this Rule, it shall be in order for a member to move to re-refer such bill, resolution or other paper to a different committee, which motion shall require a two-thirds vote for its passage.

After the first seventy-six calendar days of a Regular Session, when any bill, resolution or other paper shall have been in committee for six calendar days after such committee has been instructed to report such bill, resolution or other paper by a motion made under Section 20 of this Rule, it shall be in order for a member to move to re-refer such bill, resolution, or other paper to a different committee, which motion shall require a majority vote for its passage.

A motion to re-refer a bill, resolution or other paper from one committee to another committee is not a privileged motion and must be made during the routine motion period unless made under a suspension of the Rules.

Section 22. Reports of standing committees shall be made in duplicate, one of which shall be filed with the Journal Clerk for printing in the Journal and the other shall accompany the original bill.

Section 23. Reports of select committees shall be filed with the Chief Clerk and printed in the Journal, unless otherwise determined by the House.

Section 24. All committee reports must be in writing. Each report must be signed by the Chairman, or the member acting as Chairman, and addressed to the Speaker, and shall contain a statement of the recommendations of the committee with reference to the matter which is the subject of the report.

Section 25. Each committee report on a bill or joint resolution, and to the extent deemed necessary by the Committee, on simple and concurrent resolutions, except those pertaining to recodification bills and to the General Appropriations Bill, must include in

summary form a detailed analysis of the subject matter of the bill or resolution, specifically including (1) background information on the proposal, (2) what the bill or resolution proposes to do, (3) a section by section analysis of the content of the bill or resolution, and (4) a summary of the committee hearing on such bill or resolution.

Section 26. All committee reports on bills or resolutions shall be immediately referred to the Committee on Rules for assignment of the bill or resolution to a calendar and for the application of an appropriate rule for House consideration.

Section 27. No minority report shall be recognized by the House unless it has been signed by not less than four members of a committee consisting of twenty-one members, three members of a committee consisting of fifteen or eleven members, or two members of a committee consisting of seven or five members. Only members who were present when the vote was taken on the bill, resolution or other matter being reported, and who voted on the losing side, may sign a minority report. Notice of intention to file a minority report shall be given to the committee assembled at the time of the vote on the bill, resolution, or other matter, and before the recess or adjournment of the committee, provided ample opportunity is afforded for the giving of such notice; otherwise, such notice may be given in writing to the Calendar Clerk within twenty-four hours after the recess or adjournment of the committee.

Section 28. The report of a minority of a committee shall be made in the same general form as a majority report. If the majority report on a bill is unfavorable, and a favorable minority report is not signed in accordance with Section 27 of this rule and filed with the Calendar Clerk within two calendar days, exclusive of Sunday and the date of committee action, the Calendar Clerk shall file the bill away as dead; but during the last fifteen calendar days of a Regular Session, or the last seven calendar days of a Special Session, the Calendar Clerk shall hold a bill only one calendar day, exclusive of Sunday and the date of committee action, awaiting the filing of a minority report before he files the bill away as dead. If the favorable minority report is properly signed and filed, the Calendar Clerk shall hold the bill for five legislative days, exclusive of the legislative day in which the minority report was filed, awaiting adoption by the House of a motion to print the bill on minority report. If such motion to print is carried, the bill shall be printed as if it had been reported favorably, and shall immediately be referred to the Committee on Rules for assignment to a calendar and for determination of an appropriate rule for House consideration. If a motion to print a bill on minority report is not made within the five legislative days authorized above, the Calendar Clerk shall file the bill away as dead. It shall not be in order to move to recommit a bill adversely reported with no minority report, except as provided in Section 29 of this rule. A two-thirds vote of the House shall be required to print on minority report a joint resolution proposing an amendment to the Constitution of Texas.

Section 29. No adverse report shall be made on any bill or resolution by any committee without first giving the author or sponsor of such bill an opportunity to be heard. If it becomes evident to the House that a bill has been reported adversely without the author or sponsor having had an opportunity to be heard as provided in this Rule, the House may, by a majority vote, order the bill re-committed even though no minority report was filed in the manner prescribed by these Rules. This Rule shall have precedence over Section 12 of Rule XIX which provides that when a bill has been reported adversely it shall not be in order to recommit it except by a two-thirds vote.

Section 30. When simple or concurrent resolutions have been referred to committee, reports thereon shall be filed with the Calendar Clerk. If the report is favorable, the resolution and report shall be sent to the Speaker. If the report is unfavorable but with a favorable minority report, the resolution and report shall be sent to the Speaker and placed before the House in proper order only if the House, by a majority vote, orders it considered on minority report.

Section 31. If a local bill is reported adversely, it shall be subject to the same rules as govern other bills reported adversely.

Section 32. Chairmen of standing committees shall be responsible for return of the originals of all bills, resolutions, or other documents to the Calendar Clerk, accompanied by the report of the committee, for referral by the Calendar Clerk to the Committee on Rules for assignment to a calendar and for determination of an appropriate rule for House consideration.

Section 33. No action by the House is necessary on the report of a standing committee, but the bill, resolution, or proposition recommended or reported by the committee shall automatically be before the House for its consideration, after such bill or resolution has been referred to the Committee on Rules for assignment to a calendar and for determination of an appropriate rule for House consideration. Each standing committee shall have broad power to amend, change, delete, or add to, the nature, purpose or content of any bill or resolution referred to it, to the end that the ultimate legislative product reported by the committee shall represent the collective thinking of the committee as to the most desirable proposition as to the matter under consideration, within the limitations prescribed by Section 30 of Article 3 of the Constitution of Texas. The committee may adopt and report a complete committee substitute in lieu of an original bill, in which event the committee substitute shall be the matter then before the House for its consideration, after proper action by the Committee on Rules. Should the author or sponsor of the bill, resolution, or other proposal, not be satisfied with the final recommendation or form of the committee report, he shall have

the privilege of offering on the Floor of the House such amendments or changes thereto as he deems necessary and desirable, and his amendments or changes shall be given priority during the periods of time when original amendments are in order under the provisions of Section 3 of Rule XX.

Section 34. Standing committees of the House shall be and hereby are charged with the responsibility and duty of formulating legislative programs and initiating legislation on all matters within the jurisdiction of such committee. Each standing committee shall make a continuing study of the matters under its jurisdiction, conduct such investigations as it feels are necessary to supply it with adequate information, and shall recommend to the House such legislation within its area of jurisdiction as it deems necessary and desirable.

It shall be the duty of the Chairman of each standing committee to introduce, or cause to be introduced, the legislative programs developed by such committee and to mobilize the efforts of such committee to secure passage of the proposals thus recommended.

It is the intent of this rule to give each standing committee wide discretion in the matters to be considered by such committee within the area of its jurisdiction, to the end that the committee shall not be confined in its legislative endeavors to proposals submitted to it by individual members of the House, but each committee shall be independent in seeking out the problems within its area of jurisdiction and in formulating legislative programs to solve such problems.

Section 35. To the extent practicable during each Regular Session, standing committees shall conduct regular committee meetings in accordance with a schedule of such meetings to be promulgated by the Committee on House Administration. Standing committees shall meet at such other times as may be determined by the committee, or as may be called by the Chairman thereof. When the Legislature is not in session, the Speaker shall have authority to determine the times and places that each standing committee shall meet, or he may delegate such authority to the committee itself, or the Chairman thereof. Interim work of each standing committee shall be as assigned by the Speaker or by resolution passed by the House. Each committee shall meet as often as necessary to transact effectively the business of the committee. Unless otherwise determined by the Committee, or by the Chairman thereof, all committee meetings shall be in Austin, but such committee may meet elsewhere within the State of Texas if deemed necessary by the committee or its Chairman for the orderly transaction of its business.

Section 36. Each standing committee shall have the power to issue process to witnesses at any place in the State of Texas, to compel their attendance, and to compel the production of all books,

records, and instruments, and to issue attachments where necessary to obtain compliance with subpoenas or other process, all of which may be addressed to and served by either a Sergeant-At-Arms appointed by such committee, or by any peace officer of the State of Texas; and to cite for contempt, and cause to be prosecuted for contempt, anyone disobeying the subpoenas or other process lawfully issued by it, in the manner provided by law. The Chairman of the committee shall issue, in the name of the committee, such subpoenas and other process as a majority of the entire membership of the committee may direct. Each standing committee is hereby authorized to request the assistance, when needed in the discharge of its duties, of the State Auditor's Department, the Texas Legislative Council, the Department of Public Safety, the Attorney General's Department, and all other state agencies and offices, and it shall be the duty of such departments, agencies and offices to assist the committee when requested to do so. Each standing committee shall have the power to inspect the records, documents and files of every state department, agency, and officer, to the extent necessary to the discharge of its duties within the area of its jurisdiction.

Section 37. Witnesses attending proceedings of any standing committee under process of such committee shall be allowed the same mileage and per diem as is allowed members of the committee when in a travel status, to be paid out of the Contingent Expense Fund of the House of Representatives, on vouchers approved by the Chairman of the Committee and by the Speaker of the House.

Section 38. All committees shall require all witnesses appearing before such committees to give their testimony under oath, and each committee may avail itself of such other additional powers and prerogatives as are authorized by the provisions of law.

Section 39. Each standing committee shall be furnished with adequate committee staff, clerical assistance, and other personnel to enable it to satisfactorily discharge its responsibilities under these Rules. Requests for such staff and other personnel shall be directed by the Chairman of the committee to the Committee on House Administration, who shall determine the reasonableness of such requests and shall include provision for such staff and other personnel in the housekeeping resolution adopted by the House. Interim staff and other personnel shall be provided to standing committees by the same procedure, and provision therefor shall be included in the resolution passed each session governing interim operations of the House. All personnel employed by, or assigned to, a standing committee, shall be under the control and direction of the Chairman thereof.

Section 40. In addition to such other duties as may be assigned by the Chairman, the staff of each standing committee shall be responsible for the preparation of an analysis of each bill referred to such committee and for distribution of copies of such

analysis to each member of the committee, in advance of any committee hearing scheduled thereon. Such analyses shall be prepared under the direction of the Chairman and shall be approved by him as to form and content before distribution to other members of the committee.

Section 41. During each Regular Session, the Chairman of each standing committee shall prepare a budget for the operation of his committee for the next biennium. Such budget shall be completed and submitted to the Committee on House Administration on or before a deadline date to be set by such committee. Individual committee budgets shall then be consolidated and co-ordinated by the Committee on House Administration, who shall be charged with the responsibility of submitting to the House Appropriations Committee a consolidated budget to cover all operations of all standing committees for the ensuing biennium. Appropriations in support of such budget shall be included by the House Appropriations Committee in the General Appropriations Bill.

Section 42. Members of all standing committees shall be reimbursed for their actual and necessary expenses incurred while engaged in the work of the committee and while traveling between their places of residence and the places where meetings of the committee are held, provided, however, that no such reimbursement is authorized for meetings of committees held in Austin during such time as the Legislature is in Session. All such expenses of the committee and its members shall be paid out of the Contingent Expense Fund of the House of Representatives. All expense vouchers shall be approved by the Chairman of the Committee and by the Speaker of the House.



## RULE IX

### CALENDARS

Section 1. Legislative business of the House shall be controlled by a system of calendars, to consist of the following:

- (a) Emergency Calendar, to which shall be assigned all bills submitted as an emergency matter by the Governor, other bills deemed to be of such pressing and imperative import as to demand immediate action, all bills to raise revenue and levy taxes, and the General Appropriations Bill.
- (b) Major State Calendar, to which shall be assigned all bills of statewide effect, not emergency in nature, which establish or change State policy in a major field of governmental activity and which will have a major impact in application throughout the State without regard to class, area or other limiting factors.
- (c) Constitutional Amendments Calendar, to which shall be assigned all joint resolutions proposing amendments to the Constitution of Texas and all joint resolutions proposing the ratification of amendments to the Constitution of the United States.
- (d) General State Calendar, to which shall be assigned all bills of statewide effect, not emergency in nature, which establish or change State law, having application to all areas but limited in legal effect by classification or other factors which minimize the impact to something less than major State policy.
- (e) Area Calendar, to which shall be assigned all bills, not emergency in nature, which apply to more than one county, but which are less than statewide in legal effect.
- (f) Local Calendar, to which shall be assigned all bills, not emergency in nature, which apply to only one county named in the bill.
- (g) Consent Calendar, to which shall be assigned all bills, not emergency in nature, regardless of extent and scope, on which there is such general agreement as to render improbable any opposition to the consideration and passage thereof.

Section 2. No bill or joint resolution shall be assigned to a calendar until it has been referred to and reported from its appropriate standing committee, either by favorable committee action, or by vote of the House to print such bill on minority report; and favorable action thereon, by the appropriate committee or by the House, as the case may be, must precede assignment to a calendar by at least forty-eight hours.

Section 3. All bills and joint resolutions on committee report shall be referred immediately to the Committee on Rules for assignment to the appropriate calendar.

Section 4. The Committee on Rules shall act promptly in assigning each bill and joint resolution to its appropriate calendar. Such assignment, if not sooner made, must be made within seven calendar days after such bill or resolution was referred to the Committee on Rules, except during the last ten calendar days of a session when such assignment must be made within seventy-two hours after referral to the Committee on Rules.

Section 5. During the first seventy-six days of a Regular Session when any bill or resolution shall have been in the Committee on Rules for seven calendar days, exclusive of the calendar day on which it was referred, awaiting assignment to its appropriate calendar, it shall be in order for a member to move that the bill be assigned to a specific calendar, without action by the Committee on Rules, which motion shall require a two-thirds vote for its adoption.

After the first seventy-six calendar days of a Regular Session when any bill or resolution shall have been in the Committee on Rules for seven calendar days, exclusive of the calendar day on which it was referred, awaiting assignment to its appropriate calendar, it shall be in order for a member to move that the bill be assigned to a specific calendar, without action by the Committee on Rules, which motion shall require a majority vote for its adoption.

A motion to assign a bill to a specific calendar is not a privileged motion and must be made during the routine motion period unless made under a suspension of the rules.

Section 6. No bill shall be assigned to the Local Calendar unless (1) it applies only to a single county, which county is identified therein by name, and (2) evidence of compliance with Article 3, Section 57, Constitution of Texas, is filed with the Committee on Rules. No bill which limits its application by means of population brackets shall be assigned to the Local Calendar.

Section 7. From time to time as the volume of legislation shall warrant, the Committee on Rules shall move to designate periods for the consideration of local calendars and separate periods for the consideration of consent calendars. Each such motion shall require

a two-thirds vote for its adoption. In each instance, the Committee on Rules shall prepare and distribute to each member a printed calendar at least twenty-four hours in advance of the hour set for consideration thereof. Once such printed calendar is distributed, no additional bills or resolutions will be added thereto, and this requirement can be suspended only by unanimous consent.

Section 8. During the consideration of a local calendar or a consent calendar, the Chair shall allow the sponsor of each bill or resolution three minutes to explain the measure, and his time shall not be extended except by unanimous consent of the House. This rule shall have precedence over all other rules limiting time for debate. If it develops that any bill on a local calendar is not in fact local, as defined by the rules, the Chair shall withdraw the bill from further consideration and remove it from the calendar. If it develops that any bill on a consent calendar is to be contested on the Floor of the House, the Chair shall withdraw the bill from further consideration and remove it from the calendar. Any bill on a local calendar or a consent calendar shall be considered contested if notice is given by five or more members that they intend to oppose such bill or resolution, either by a raising of hands or the delivery of written notice to the Chair, and in such event, such bill shall be withdrawn from further consideration and removed from the local calendar or the consent calendar, as the case may be.

A bill or resolution once removed from a local calendar or a consent calendar shall be returned to the Committee on Rules for further assignment to its appropriate calendar. The Committee on Rules, if it feels such action is warranted, may again assign such bill or resolution to a local calendar or a consent calendar, as the case may be. If such bill is then removed from such calendar a second time by objections from the Floor of the House, such bill shall not again be assigned to a local calendar or a consent calendar during that session of the Legislature.

Section 9. Except for local and consent calendars, consideration of calendars shall be in the order named in Section 1 hereof, subject to such exceptions as may be ordered by the Committee on Rules.

Section 10. Senate bills pending in the House shall follow the same procedure with regard to calendars as House bills, but separate calendars shall be maintained for Senate bills, and consideration thereof on Senate bill days shall be in the manner and order herein specified.

Section 11. Subject to the limitations contained herein, the Committee on Rules shall have full authority to make assignments to calendars in whatever order is deemed necessary and desirable under the circumstances then existing, it being the intent of the calendar system to give the Committee on Rules wide discretion to

insure adequate consideration by the House of important legislation; provided that bills on third reading on a particular calendar shall have precedence over bills on second reading on the same calendar.

Section 12. Notwithstanding any other provisions of this rule, the Speaker shall have authority to assign or re-assign any bill or resolution on committee report to the calendar which he deems appropriate, and the Committee on Rules shall be governed thereby in the preparation of calendars for the use of the House.

Section 13. During the first seventy-six calendar days of a Regular Session, after a bill or resolution has been assigned to its appropriate calendar by the Committee on Rules, it shall be in order for a member to move that the bill or resolution be re-assigned to a different calendar, which motion shall require a two-thirds vote for its adoption.

After the first seventy-six calendar days of a Regular Session, when a bill or resolution has been assigned to its appropriate calendar by the Committee on Rules, it shall be in order for a member to move that such bill or resolution be re-assigned to a different calendar, which motion shall require a majority vote for its adoption.

A motion to re-assign a bill from one calendar to another is not a privileged motion and must be made during the routine motion period unless made under a suspension of the rules.

Section 14. Calendars shall be printed daily when the House is in Session and distribution thereof made to members no later than two hours preceding the time the House convenes. Deviations from the calendars as printed and distributed shall not be permitted.

## RULE X

### QUESTIONS OF PRIVILEGE

Section 1. Questions of privilege shall be: (1) those affecting the rights of the House collectively, its safety and dignity, and the integrity of its proceedings, and (2) the rights, reputation and conduct of members individually in their representative capacity only.

Section 2. Questions of privilege shall have precedence over all other questions except motions to adjourn. When in order, a member may address himself to a question of privilege, or he may at any time print it in the Journal, provided it contains no reflection on any member of the House.

Section 3. When speaking on personal privilege, members must confine their remarks within the limits of this rule, which will be strictly construed to achieve the purposes hereof.

Section 4. It shall not be in order for a member to address himself to a question of privilege: (1) between the time an undebatable motion is offered, and before the vote is taken on such motion; (2) between the time the previous question is ordered and the vote is taken on the last proposition included under the previous question; or (3) between the time a motion to table is offered and before the vote is taken on such motion.

Section 5. Merits of a main or subsidiary motion shall not be discussed or debated under the guise of speaking to a question of privilege.

## RULE XI

### DECORUM AND DEBATE

Section 1. When a member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker" and, on being recognized, may address the House from the microphone at the Reading Clerk's desk, and shall confine himself to the question under debate, avoiding personalities.

Section 2. When two or more members happen to rise at once, the Speaker shall name the one who is first to speak, and his decision shall be final and not open to debate or appeal.

Section 3. There shall be no appeal from the Speaker's recognition, but he shall be governed by rules and usage in priority of entertaining motions from the Floor. When a member seeks recognition, the Speaker may ask, for his information, "For what purpose does the gentleman rise?" or "For what purpose does the gentleman seek recognition?" and he may then decide if recognition is to be granted.

Section 4. When a member has the Floor, he shall not be interrupted by another member for any purpose, unless he consents to yield to such other member. A member desiring to interrupt another in debate should first address the Speaker for permission of the member speaking. The Speaker shall then ask the member who has the Floor if he wishes to yield, and shall then announce the decision of such member. The member who has the Floor may exercise his own discretion as to whether or not he will yield, and it is entirely within his discretion to determine when and by whom he shall be interrupted.

Section 5. When a member obtains the Floor on recognition of the Speaker, he may not be taken off the Floor by a motion, even the highly privileged motion to adjourn, but if he yields to another to make a motion or to offer an amendment, he thereby loses the Floor.

Section 6. The mover of any proposition, or the member reporting any measure from a committee, as the case may be, or, in the absence of either of them, then any other member designated by such absentee, shall have the right of opening and closing the debate thereon, and for this purpose may speak each time not to exceed twenty minutes.

Section 7. All speeches shall be limited to ten minutes in duration, except as provided in Section 6 of this rule, and the Speaker shall call the members to order at the expiration of their time. If the House by a majority vote extends the time of any member, such extension shall be for ten minutes only. A second extension of time shall be granted only by unanimous consent. During the last ten

calendar days of the Regular Session, and the last five calendar days of a Special Session, Sundays excepted, all speeches shall be limited to ten minutes and shall not be extended. The time limits established by this rule shall include time consumed in yielding to questions from the Floor.

Section 8. No member shall speak more than twice on the same question without leave of the House, nor more than once until every member choosing to speak shall have spoken, nor shall any member be permitted to consume the time of another member without leave of the House being given by a majority vote.

Section 9. If a pending question is not disposed of because of an adjournment of the House, a member who has spoken twice on the subject shall not be allowed to speak again without leave of the House.

Section 10. When the reading of a paper is called for, and objection is made, the matter shall be determined by a majority vote of the House, without debate.

Section 11. If any member, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any member may, call him to order, in which case the member so called to order shall immediately take his seat; provided, however, such member may move for an appeal to the House, and if such appeal is duly seconded by ten members, the matter shall be submitted to the House for decision by majority vote. In such cases, the Speaker shall not be required to relinquish the Chair, as he is required to do in cases of appeals from his decisions. The House shall, if appealed to, decide the matter without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; but if the decision be against him, he shall not be allowed to proceed, and if the case requires it, he shall be liable to the censure of the House, or for such other punishment as the House may deem proper.

## RULE XII

### ON VOTING

Section 1. A registration or vote taken on the voting machine of the House shall in all instances be considered the equivalent of a roll call or yea and nay vote, which might be had for the same purpose.

Section 2. Any member who has a personal or private interest in any measure or bill proposed or pending before the House shall disclose the fact and not vote thereon.

Section 3. Any member who is present and shall fail or refuse to vote after being requested to do so by the Speaker shall be recorded as present but not voting, and shall be counted for the purpose of making a quorum.

Section 4. A member must be on the Floor of the House in order to vote; but members who are out of the House when a record vote is taken and who wish to be recorded shall be permitted to do so provided:

- (a) They were out of the House temporarily, having been recorded earlier as present; and
- (b) Permission to so vote is granted by unanimous consent; and
- (c) The recording of their votes does not change the result as announced by the Chair.

Section 5. On non-record votes members may have their votes recorded in the Journal as "Yea" or "Nay" by filing such information with the Journal Clerk.

Section 6. No member shall be allowed to interrupt the vote or to make any explanation of a vote he is about to give, after the voting machine has been opened, but may record in the Journal his reasons for giving such a vote.

Section 7. A "Reason for Vote" must be in writing and filed with the Journal Clerk immediately after a vote is taken. Such "Reason for Vote" shall not deal in personalities or contain any personal reflection on any member of the Legislature, the Speaker, the Lieutenant Governor or the Governor, and shall not in any other manner transgress the Rules of the House relating to decorum and debate.



Section 8. At the desire of any three members present, the yeas and nays of the members of the House on any question shall be taken and entered in the Journal. No member or members shall be allowed to call for a ye and nay vote after a vote has been declared by the Speaker. A motion to expunge a ye and nay vote from the Journal shall not be in order.

Section 9. Before the result of a vote has been finally and conclusively pronounced by the Chair, but not thereafter, a member may change his vote; provided, however, that if a member's vote be by mistake or fraud, he shall be allowed to change his vote at a later time provided:

- (a) The result of the record vote is not changed thereby; and
- (b) The request is made known to the House by the Chair and permission for such change is granted by unanimous consent; and
- (c) A notation is made in the Journal that the member's vote was changed.

Section 10. Once a roll call has begun, it may not be interrupted for any reason. While a ye and nay vote is being taken, or the vote is being counted, no member shall visit the Reading Clerk's desk.

Section 11. On all votes, except viva voce votes, members shall record their votes on the voting machine, and shall not be recognized by the Chair to cast their votes from the Floor. If a member attempts to vote from the Floor, the Speaker shall sustain a point of order directed against his so doing. This rule shall not be applicable to the mover or the principal opponent of the proposition being voted upon nor to a member whose voting machine is out of order.

Section 12. Any member found guilty by the House of knowingly voting for another member on the voting machine shall be subject to expulsion from the House. Any officer or employee found guilty of such offense shall be subject to discharge by the House or by the Speaker.

Section 13. The Speaker may order the Sergeant-At-Arms to pick up the voting machine keys of absent members when a "strict enforcement of the rules" is called for.

Section 14. On the demand of any member, before the question is put, the question shall be divided, if it includes propositions so distinct in substance that, one being taken away, a substantive proposition remains. A demand for a division vote can be made

even after the previous question has been ordered, but cannot be made after a motion to table has been offered, nor after the question has been put, nor after the yeas and nays have been ordered.

Section 15. All pairs must be announced before the vote is declared by the Speaker, and a written statement thereof sent to the Journal Clerk. The statement must be signed by the absent member to the pair, or his signature thereto must have been authorized in writing, by telegraph, or by telephone, and satisfactory evidence thereof presented to the Speaker if he deems such necessary. If authorized by telephone, such call must be to and confirmed by the Chief Clerk in advance of the vote to which it applies. Such pairs shall be entered in the Journal, and the member present shall be counted to make a quorum.

Section 16. All matters on which a vote may be taken by the House shall require for adoption a favorable affirmative vote as required by these Rules, and in the case of a tie vote, the matter shall be considered lost.

Section 17. When the result of a yea and nay vote is close, the Speaker may upon the request of any member order a verification vote, or the Speaker may order a verification on his own initiative. During such verification, no member shall change his vote unless it was erroneously recorded, nor may any member not having voted cast a vote; however, in case of error of the Clerk reporting the yeas and nays, and the correction thereof leaves decisive effect to the Speaker's vote, he may exercise his right to vote, even though the result has been announced. A verification shall be called for immediately after the vote is announced. The Speaker shall not entertain a request for verification after the House has proceeded to the next question, or after a recess or an adjournment. A vote to recess or adjourn, like any other proposition, may be verified. Only one vote verification can be pending at a time. A verification may be dispensed with by a two-thirds vote.

Section 18. A motion for a call of the House, and all incidental motions relating thereto, shall be in order pending the verification of a vote. These motions must be made before the roll call on verification begins, and it shall not be in order to break into the roll call to make them.

Section 19. Where, by an error of the clerk in reporting the yeas and nays from a registration, the Speaker announces a result different from that shown by the registration or verification thereof, the status of the question shall be determined by the vote as actually recorded. If the vote be erroneously announced in such

a way as to change the true result, all subsequent proceedings in connection therewith shall fall, and the Journal shall be amended accordingly.

Section 20. The Speaker may allow the verification of a registration (as differentiated from a record vote) if in his opinion there is serious doubt as to the presence of a quorum.

## RULE XIII

### OF MOTIONS

Section 1. Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any member, and shall be entered on the Journal with the name of the member making it.

Section 2. When a motion has been made, the Speaker shall state it, or if it be in writing, cause it to be read by the Clerk; and it shall then be in possession of the House.

Section 3. A motion may be withdrawn by the mover thereof at any time before a decision thereon, even though an amendment may have been offered and be pending. It can not be withdrawn, however, if the motion has been amended. After the previous question has been ordered, a motion can be withdrawn only by unanimous consent.

Section 4. A motion to adjourn or recess may not be withdrawn when it is one of a series upon which voting has commenced, nor may an additional motion to adjourn or recess be made when voting has commenced on a series of such motions.

Section 5. When a question is under debate, the following motions, and none other, shall be in order, and such motions shall have precedence in the following order:

- (1) To adjourn
- (2) To take recess
- (3) To lay on the table
- (4) To lay on the table subject to call
- (5) For the previous question
- (6) To postpone to a day certain
- (7) To commit, recommit, refer or re-refer
- (8) To amend by striking out the enacting or resolving clause, which, if carried, shall have the effect of defeating the bill or resolution
- (9) To amend
- (10) To postpone indefinitely

Section 6. A motion to adjourn or recess shall always be in order, except (1) when the House is voting on another motion; (2) when the previous question has been ordered and before the final vote on the main question, unless a roll call shows the absence of a quorum; (3) when a member entitled to the floor has not yielded for such purpose; or (4) when no business has been transacted since a motion to adjourn or recess has been defeated.

Section 7. The vote by which a motion to adjourn or recess is carried or lost shall not be subject to a motion to reconsider.

Section 8. A smaller number of members than a quorum may adjourn from day to day, and compel the attendance of absent members.

Section 9. When several motions to recess or adjourn are made at the same period, the motion to adjourn carrying the shortest time shall be put first, then the next shortest time, and in that order until a motion to adjourn has been adopted or until all have been voted on and lost; and then the same procedure shall be followed for motions to recess.

Section 10. When motions are made for the reference of a subject to a select or standing committee, the question for the reference to a standing committee shall be put first.

Section 11. A motion to recommit a bill, which motion has been defeated at the routine motion period, may again be made when the bill itself is under consideration; however, a motion to recommit a bill shall not be in order at the routine motion period if such bill is then before the House as either pending business or unfinished business.

Section 12. A motion to refer, re-refer, commit, or re-commit is debatable within narrow limits, but the merits of the proposition may not be brought into the debate. A motion to refer, re-refer, commit, or re-commit with instructions is fully debatable.

Section 13. After a bill has been re-committed, it shall be considered by the committee as a new subject.

Section 14. A motion to recommit a bill or resolution can be made and voted upon even though the author, sponsor or principal proponent thereof is not present.

Section 15. A motion to lay on the table, if carried, shall have the effect of killing the bill, resolution, amendment or other immediate proposition to which it was applied. Such motion shall not be debatable, but the mover of the proposition proposed to be tabled, or the member reporting it from committee, shall be allowed to close the debate thereon after the motion to table is made, and before it is put to a vote. When a motion to table is made to a debatable main

motion, the main motion mover shall be allowed twenty minutes to close the debate, whereas the movers of other debatable motions sought to be tabled shall be allowed only ten minutes to close. The vote by which a motion to table is carried or lost can not be reconsidered. After the previous question has been ordered, a motion to table is not in order. The provisions of this section do not apply to motions to "lay upon the table subject to call"; however, a motion to lay upon the table subject to call can not be made after the previous question has been ordered.

Section 16. A bill or proposition postponed to a day certain shall be laid before the House at the time on the calendar day to which it was postponed, provided it is otherwise eligible under the Rules, and no other business is then pending. If business is pending, the postponed matter shall be deferred until the pending business is disposed of without prejudice otherwise to its right of priority. When a privileged matter is postponed to a particular time, and that time arrives, the matter, still retaining its privileged nature, shall be taken up even though another matter is pending.

Section 17. If two or more bills, resolutions, or other propositions are postponed to the same time, and are otherwise eligible for consideration at that time, they shall be considered in the chronological order of their setting.

Section 18. A motion to postpone to a day certain may be amended and is debatable within narrow limits, but the merits of the proposition sought to be postponed can not be debated. A motion to postpone indefinitely opens to debate the entire proposition to which it applies.

Section 19. The following motions, in addition to any elsewhere provided herein, shall be decided without debate, except as otherwise provided in these Rules:

- (1) To adjourn.
- (2) To lay on the table.
- (3) To lay on the table subject to call.
- (4) For the previous question.
- (5) To suspend the rule as to the time for introduction of bills.
- (6) To order a call of the House, and all motions incidental thereto.
- (7) An appeal by a member called to order.

- (8) All questions relating to priority of business.
- (9) To amend the caption of a bill or resolution.
- (10) To extend the time of a member speaking under the previous question or to allow a member who has the right to speak after the previous question is ordered to yield his time, or a part thereof, to another.
- (11) To reconsider and table.

Section 20. The Speaker shall permit the mover and one opponent of the motion three minutes each during which to debate the following motions without debating the merits of the bill, resolution, or other matter, and the mover of the motion may elect to take his time either to open the debate or to close the debate, but his time may not be divided:

- (1) To suspend the regular order of business and take up some measure out of its regular order.
- (2) To instruct a committee to report a certain bill or resolution.
- (3) To re-refer a bill or resolution from one committee to another.
- (4) To assign a bill or resolution to a calendar without action by the Committee on Rules.
- (5) To reassign a bill or resolution from one calendar to another.
- (6) To take up a bill or resolution laid on the table subject to call.
- (7) To set a special order.
- (8) To suspend the Rules.
- (9) To suspend the Constitutional Rule requiring bills to be read on three several days.
- (10) To pass a resolution suspending the Joint Rules.
- (11) To order the previous question.
- (12) To order the limiting of amendments to a bill or resolution.

- (13) To print documents, reports or other material in the Journal.
- (14) To take any other action required or permitted during the routine motion period by Rule XXII, Section 1.

Section 21. When a bill, resolution or other matter is pending before the House, it may be laid on the table subject to call, and one legislative day's notice must be given before the proposition can be taken from the table, unless it be on the same legislative day, in which case it can be taken from the table at any time except when there is another matter pending before the House. A bill, resolution or other matter can be taken from the table only by a majority vote of the House. When a special order is pending, a motion to take a proposition from the table can not be made unless such proposition is a privileged matter.



## RULE XIV

### OF THE PREVIOUS QUESTION

Section 1. There shall be a motion for the previous question, which shall be admitted only when seconded by twenty-five members. It shall be put by the Chair in this manner: "The motion has been seconded. Three minutes pro and con debate will be allowed on the motion for ordering the previous question." As soon as the debate has ended, the Chair shall continue: "As many as are in favor of ordering the previous question on (here state on which question or questions) will say 'Aye' ", and then, "As many as are opposed say 'Nay' ". As in all other propositions a motion for the previous question may be taken by a record vote if demanded by three members. If ordered by a majority of the members voting, a quorum being present, it shall have the effect of cutting off all debate, except as provided in Section 11 of this rule, and bringing the House to a direct vote upon the immediate question or questions upon which it has been asked and ordered.

Section 2. The motion to adjourn is not in order after a motion for the previous question is accepted by the Chair, or after the seconding of such motion, and before a vote is taken thereon.

Section 3. The motion for the previous question is not subject to a motion to table.

Section 4. The previous question may be asked and ordered upon any debatable single motion, or series of motions, allowable under the rules, or any amendments or amendments pending, or may be made to embrace all authorized debatable motions or amendments pending, and include the Bill, resolution or proposition to a vote on its engrossment or third reading and final passage. The previous question cannot be ordered, however, on the main proposition without including other pending motions of lower rank to it as given in Section 3 of rule XIII.

Section 5. After a motion to table has been made, a motion for the previous question is not in order except in a case where an amendment to a main motion is pending, and a motion to table the amendment is made, in which case it is in order to move the previous question on the main motion, the pending amendment and the motion to table the amendment. If a motion to table is made directly to a main motion, the motion for the previous question is not in order.

Section 6. There is no acceptable substitute for a motion for the previous question, nor can other motions be applied to it.

Section 7. The previous question shall not extend beyond the final vote on a motion or sequence of motions to which the previous question has been ordered.

Section 8. Amendments on the Speaker's desk for consideration which have not actually been laid before the House and read cannot be included under a motion for the previous question.

Section 9. On the motion for the previous question there shall be no debate except as provided in Section 1 hereof and in Section 20 of Rule XIII; and all incidental questions of order after it is made, and pending decision on such motion, shall be decided, whether on appeal or otherwise, without debate.

Section 10. After the previous question has been ordered, the following shall be in order and shall be decided by the House by a majority vote without debate: (1) a motion to permit a member who has the authority to speak under the previous question to yield his time, or part of his time, to another member, and (2) a motion to extend the time of the member speaking.

Section 11. After the previous question has been ordered, there shall be no debate upon the questions on which it has been ordered, or upon the incidental questions, except that the mover of the proposition or any of the pending amendments or any other motions, or the member making the report from the Committee, as the case may be, or, in the case of the absence of either of them, any other member designated by such absentee, shall have the right to close the debate on the particular proposition or amendment, after which a vote shall be taken immediately on the amendments or other motions, if any there were, and then on the main question.

Section 12. All members having the right to speak after the previous question has been ordered shall speak before the question is put upon the first proposition covered by the previous question. All votes shall then be taken in the correct order, and no vote or votes shall be deferred to allow any member to close on any one of the propositions separately after the voting has commenced.

Section 13. When an amendment has been substituted and the previous question is then moved on the adoption of the amendment as substituted, the author of the amendment as substituted shall have the right to close the debate on his amendment in lieu of the author of the original amendment.

Section 14. When the previous question is ordered on a motion to postpone indefinitely or to amend by striking out the enacting clause of a bill, the member moving to postpone or amend shall have the right to close the debate on his motion or amendment, after which the mover of the proposition or bill proposed be so postponed or amended, or the member reporting same from the committee, as the

case may be, or, in the absence of either of them, any other member designated by such absentee, shall be allowed to close the debate on the original proposition.

Section 15. No motion for an adjournment or a recess shall be in order, after the previous question is ordered, until the final vote under the previous question shall be taken, unless the roll call shows the absence of a quorum.

Section 16. A call of the House may be moved after the previous question has been ordered.

Section 17. After the previous question has been ordered, no motion shall be in order until the question or questions upon which it was ordered have been voted upon, except: (1) a motion for a call of the House, and motions incidental thereto, (2) a motion to extend the time of a member closing on a proposition, (3) a motion to permit a member who has the right to speak to yield his time or part of his time to another member, (4) a request for and a verification of a vote, and (5) a motion to reconsider the vote by which the previous question was ordered. A motion to reconsider may be made only once and that must be before any vote under the previous question has been taken.

Section 18. The motion to table a motion to reconsider the vote by which the previous question has been ordered shall be in order, and also the double motion to reconsider and table the vote by which the previous question was ordered.

Section 19. When the House adjourns without a quorum under the previous question, the previous question shall remain in force and effect when the bill, resolution, or other proposition is again laid before the House.

## RULE XV

### OF RECONSIDERATION

Section 1. When a question has been decided by the House, any member voting with the prevailing side may, on the same legislative day, or on the next legislative day, move a reconsideration; however, if a reconsideration is moved on the next legislative day, it must be done before the order of the day, as designated in the eleventh item of Section 1 or Rule XXI, is taken up. If the House shall refuse to reconsider, or upon reconsideration, affirm its decision, no further action to reconsider shall be in order.

Section 2. Every motion to reconsider shall be decided by a majority vote, even though the vote on the original question requires a two-thirds vote for affirmative action. A motion for reconsideration shall be subject to a motion to table, which, if carried, shall be a final disposition of the motion to reconsider. If the motion to reconsider prevails, the question then immediately recurs on the Question reconsidered.

Section 3. Where the Yeas and Nays have not been called for and recorded, any member, irrespective of whether he voted on the prevailing side or not, may make the motion to reconsider; however, even when the Yeas and Nays had not been recorded, the following shall not be eligible to make a motion to reconsider: (1) a member who was absent, (2) a member who was paired and, therefore, did not vote, and (3) a member who recorded himself in the Journal as having voted on the losing side.

Section 4. If a motion for reconsideration be not disposed of when made, it shall be entered upon the Journal, and cannot, after that legislative day, be called up and disposed of unless one legislative days' notice shall have been given. All motions to reconsider made during the last seventy-two hours of the session shall be disposed of when made, otherwise, the motion shall be considered as lost.

Section 5. A member voting on the prevailing side may make a motion to reconsider and spread on the Journal, which does not require a vote, and upon the motion being made, it shall be entered upon the Journal. Any member, regardless of whether he voted on the prevailing side or not, desiring immediate action on a motion to reconsider which has been spread on the Journal, can call it up as soon as it is made, and demand a vote upon it, or he can call it up and move to table it if he desires a final disposition of the matter.

Section 6. If the motion to table the motion to reconsider is defeated, the motion to reconsider remains spread upon the Journal for future action; however, any member, regardless of whether he voted upon the prevailing side or not, can call the motion from the Journal for action by the House, and if the motion to reconsider is defeated, or if carried and the House then affirms its original action on the question reconsidered, no other motion to reconsider can be made.

Section 7. Unless called up and disposed of prior to seventy-two hours before final adjournment of the session, all motions for reconsideration shall be regarded as determined and lost.

Section 8. A motion for reconsideration can not be withdrawn, except by permission being given by a majority vote of the House, and it may be called up by any member.

Section 9. The double motion to reconsider and table shall be in order. It shall be undebatable. When carried, the motion to reconsider shall be tabled. When it fails, the question shall then be on the motion to reconsider, and the motion to reconsider shall, without further action, be spread upon the Journal, but it may be called up by any member in accordance with the provisions of Section 4 of this rule.

Section 10. A motion to reconsider shall be debatable only when the question to be reconsidered is debatable. Even though the previous question was in force before the vote on a debatable question is taken, debate is permissible on the reconsideration of such debatable question.

## RULE XVI

### ROLL CALLS AND CALLS OF THE HOUSE

Section 1. Upon every roll call or registration, the names of the members shall be called or listed, as the case may be, alphabetically by surname, except when two or more have the same surname, in which case the initials of the member shall be added.

Section 2. It shall be in order to move a call of the House at any time to secure and maintain a quorum for either of the following purposes:

- (a) For the consideration of a specific bill, resolution, motion or other measure.
- (b) For a definite period of time or for the consideration of any designated class of bills.

Section 3. Motions for, and incidental to, a call of the House are not debatable.

Section 4. The point of order of "No Quorum" shall not be accepted by the Chair if the last roll call showed the presence of a quorum.

Section 5. When a call of the house is moved for one of the above purposes and seconded by fifteen members (of whom the Speaker may be one) and ordered by a majority vote, the Doorkeeper shall close the main entrance to the Hall, and all other doors leading out of the Hall shall be locked and no member permitted to leave the House without the written permission of the Speaker. Such permission cards shall be taken up by the Doorkeeper as the member leaves the House. The names of members present shall be recorded. All absentees for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by the Sergeant-At-Arms or officer appointed by him for that purpose, and their attendance secured and retained. The House shall determine upon what conditions they shall be discharged. Members who voluntarily appear shall, unless the House otherwise directs, be immediately admitted to the Hall of the House and shall report their names to the Clerk to be entered upon the Journal as present. Until a quorum appears, should the roll call fail to show one present, no business shall be transacted, except to compel the attendance of absent members or to adjourn.

Section 6. Any member who is present and shall fail or refuse to record himself after being requested to do so by the Speaker shall be recorded as present by the Speaker and shall be counted for the purpose of making a quorum.

Section 7. When a quorum is shown to be present, the House may proceed with the matters upon which the call was ordered, or may enforce the call and await the attendance of as many of the absentees as it desires. When the House proceeds to the business upon which the call was ordered, it may, by a majority vote, direct the Sergeant-At-Arms to cease bringing in absent members.

Section 8. When a record vote reveals the lack of a quorum and a call is ordered to secure one, a record vote shall again be taken when the House resumes business with a quorum present.

Section 9. If a registration or record vote reveals a quorum is not present, no motion shall be in order except to adjourn, or for a call of the House and motions incidental thereto.

Section 10. Once a point of order has been made that no quorum is present, it may not be withdrawn after the absence of a quorum has been ascertained and announced.

Section 11. It shall not be in order to recess under a call of the House.

## RULE XVII

### SIMPLE AND CONCURRENT RESOLUTIONS

Section 1. Resolutions shall be introduced by the filing of three copies thereof with the Chief Clerk, who shall number and record simple resolutions in one series and concurrent resolutions in a separate series. After numbering and recording, resolutions shall be sent to the Speaker. Resolutions may be offered by one or more members, but may not be authorized by a committee as such.

Section 2. Concurrent resolutions shall take the same course as simple resolutions, except that they shall be sent to the Governor for his signature when finally passed by both Houses.

Section 3. Concurrent resolutions which permit the bringing of suits against the State of Texas or any department thereof shall be referred to the Committee on Judiciary.

Section 4. Resolutions proposing the expenditure of money out of the Contingent Expense Fund of the Legislature shall be referred to the Committee on House Administration.

Section 5. All resolutions shall be referred to the appropriate committees if they propose:

- (a) To make an investigation, or
- (b) To establish or define broad legislative policies or opinions.

Section 6. Unless privileged, resolutions shall be considered only at the time assigned for their consideration by the Rules of the House.

Section 7. A resolution that goes over to the next legislative day as unfinished business shall be taken up under the head of unfinished business before other unfinished business is considered, except privileged matters, and shall be considered until disposed of.

Section 8. The subject matter of simple and concurrent resolutions does not have to be submitted by the Governor in a called session before same can be considered.

Section 9. Congratulatory and memorial resolutions shall be prepared for introduction by the individual member, and officers and employees of the House are expressly prohibited from preparing, or assisting in the preparation of, such resolutions.



Section 10. No member shall be permitted to introduce during any session more than three congratulatory resolutions nor more than three memorial resolutions, except for those resolutions which congratulate or memorialize members or former members of the Legislature. The Chief Clerk shall maintain a record of all congratulatory and memorial resolutions introduced by each member and shall refuse to file any resolution which a member attempts to introduce in violation of this rule.

Section 11. Congratulatory and memorial resolutions shall be considered by the House only at those times designated for such consideration by these Rules. During consideration of memorial and congratulatory resolutions, such resolutions shall not be read in full unless they pertain to members or former members of the Legislature, and all other such resolutions shall be read only by number, type of resolution and name of the person, persons or groups designated therein.

Section 12. Congratulatory and memorial resolutions adopted by the House, except those for members and former members of the Legislature and those for state officials and former state officials, shall not be printed in full in the Journal, but shall be listed in the Journal by number, together with a brief caption of each indicating the person, persons or groups covered by it. This rule shall be applicable both to daily Journals and the Permanent Journal.

Section 13. Only one enrolled copy shall be made of each congratulatory and memorial resolution, and the officers and employees of the House are expressly prohibited from preparing more than one enrolled copy of each such resolution.

## RULE XVIII

### JOINT RESOLUTIONS

Section 1. A proposed amendment to the Constitution of Texas shall take the form of a joint resolution, which shall be subject to the rules which govern the proceedings on bills, except that it shall be adopted on any reading after the first, when it receives a two-thirds vote of the elected membership of the House. If on second reading, a joint resolution receives only a majority vote, it shall be passed to engrossment, and subsequent proceedings thereon shall be the same as those governing the final passage of bills which have been passed to engrossment; however, if on third reading and final passage, a joint resolution does not receive a two-thirds vote of the elected membership of the House, it shall fail of adoption.

Section 2. Ratification by Texas of a proposed amendment to the Constitution of the United States shall take the form of a joint resolution, which shall be subject to the rules which govern the proceedings on bills, except that it shall be adopted on any reading after the first, when it receives a majority vote of the members present and voting, a quorum being present. If such joint resolution shall fail to receive a majority vote, it shall fail of adoption and can not thereafter be considered unless revived by a motion to reconsider as otherwise provided in these rules.

Section 3. House joint resolutions on committee report shall be referred to the Committee on Rules in the same manner as bills for assignment to the appropriate calendar for floor consideration.

Section 4. Senate joint resolutions on committee report shall also be referred to the Committee on Rules for assignment to an appropriate calendar. The Committee on Rules shall maintain a separate calendar for House Joint Resolutions and a separate calendar for Senate Joint Resolutions. Senate joint resolutions shall be considered on calendar Wednesdays and calendar Thursdays along with Senate bills, with proper priority to be determined by the calendar system.

## RULE XIX

### OF BILLS

Section 1. Proposed laws or changes in laws must be incorporated in bills, which shall consist of (1) a title or caption, beginning with the words, "A Bill to be Entitled An Act to", (2) a brief statement of the object of the proposed measure, (3) an enacting clause, "Be It Enacted by the Legislature of the State of Texas", and stating specially the measure proposed, and (4) the bill proper.

Section 2. To enable members of the Legislature to understand more fully and more easily the nature and legal effect of matters under consideration, all bills and resolutions shall conform to the following requirements:

- (a) If a bill or resolution proposes to amend an existing portion of the Constitution, a statute, or a legislative rule, the complete text of the existing portion of such constitution, statute or rule shall be quoted in full.
- (b) Language to be added to the existing portion of the Constitution, statute or rule shall be inserted in its appropriate place in the text thereof and shall be underlined.
- (c) Language to be deleted from the existing portion of the Constitution, statute or rule shall be typed in solid capital letters and enclosed in parentheses.
- (d) If the language to be added is to replace a part of the existing text, the new language shall precede the existing text which is being replaced.
- (e) If a portion of a word is being changed (such as correcting capitalization, spelling or punctuation) the entire word shall be replaced. Such words shall first be inserted correctly and underlined, followed by the word as it appears in existing text and enclosed in parentheses.

Section 3. If the proposal to amend an existing portion of the Constitution, a statute or a legislative rule involves a complete reraft of the entire text thereof, to the extent that it would confuse rather than clarify to show additions and deletions, Section 2 of this rule will not apply; however, the Presiding Officer of the group having such proposal under consideration shall strictly construe Section 2 hereof to achieve the purposes thereof.

Section 4. Compliance with Sections 2 and 3 of this rule shall be required at all stages of the Legislative process except in the engrossing and enrolling of the bill or resolution, when the underlining and the deleted text shall be omitted.

Section 5. No bill (except general appropriations bills, which may embrace the various subjects and accounts for and on account of which monies are appropriated) shall contain more than one subject, which shall be expressed in its title. A general law may not be changed by the provisions in an appropriation bill.

Section 6. No law shall be revived or amended by reference to its title; but in such case, the act revived, or the section or sections amended, shall be re-enacted and published at length.

Section 7. Any member may become the co-author of a bill or resolution by securing permission from the author. No action shall be required by the House, but it shall be the duty of a member seeking to be a co-author to obtain written authorization from the author, which authorization shall be filed with the Chief Clerk at the same time the co-author signs the bill or resolution. The Chief Clerk shall report daily to the Journal Clerk the names of members filed as co-authors of bills or resolutions. If a co-author of a bill or resolution desires to withdraw from such status, he shall notify the Chief Clerk, who in turn shall notify the Journal Clerk.

Section 8. Four copies of every bill, except bills relating to conservation and reclamation districts and governed by the provisions of Article XVI, Section 59 (d), Constitution of the State of Texas, either consisting of an original and three carbon copies or four identical copies from the standpoint of text, must be filed with the Chief Clerk or offered from the floor at the time the bill is introduced.

Five identical copies from the standpoint of text of every bill relating to conservation and reclamation districts and governed by the provisions of Article XVI, Section 59 (d), Constitution of the State of Texas, with copies of the notice to introduce the bill attached thereto, must be filed with the Chief Clerk at the time the bill is introduced if the bill is one to:

- (1) Create a particular conservation and reclamation district; or
- (2) Amend the act of a particular conservation and reclamation district to
  - (a) Add additional land to the District;
  - (b) Alter the taxing authority of the District;

- (c) Alter the authority of the District with respect to issuing bonds; or
- (d) Alter the qualifications or terms of office of the members of the governing body of the District.

No bill may be laid before the House on first reading until this rule has been complied with.

Section 9. Each bill shall be filed with the Chief Clerk when introduced and shall be numbered in its regular order. Each bill shall be read first time by caption and referred by the Speaker to the proper committee. During the first forty-five calendar days of a Regular Session, unless otherwise directed by a majority vote of the House, twenty-four hours must elapse between the time of introduction and the time of the first reading and reference of a bill or resolution to the proper committee. As soon as the bill or resolutions has been referred to the proper committee, it shall be sent immediately to the printer by the Calendar Clerk and a printed copy thereof, showing thereon the committee to which it was referred, shall be placed at the earliest practicable date in the newspaper mailbox of each member. Additional copies of the bill shall be printed and made available to the members on request.

Section 10. No bill shall be considered unless it has been first referred to a committee and reported therefrom.

Section 11. Bills and joint resolutions introduced during the first sixty calendar days of the Regular Session may be considered by the committees and in the House, and disposed of at any time during the Session, in accordance with the Rules of the House; provided, however, that after the first sixty calendar days of a Regular Session, no bill or joint resolution, except local bills, emergency appropriations, and all emergency matters submitted by the Governor in special messages to the Legislature shall be introduced, except by an affirmative vote of four-fifths of those members present and voting.

Section 12. Except as provided in Section 23 of Rule VIII, when a bill has been committed once at any reading and has been reported adversely by the committee to which it was referred, it shall not be in order to again recommit the bill unless a minority report shall have been filed in the time required by the Rules of the House, and then only by a two-thirds vote of those present.

Section 13. No House bill or Senate bill on its second reading shall be considered for any purpose during the last seventy-two hours before the final adjournment of the legislature, unless it is an appropriation bill.

Section 14. The Speaker shall not be authorized to recognize, nor shall he recognize, anyone to take up a bill out of its regular order within forty-eight hours next preceding final adjournment; nor shall he lay any bill before the House or take a vote upon passage thereof during the last twenty-four hours next preceding the final adjournment of the Legislature, except adoption of conference committee reports or concurrence in Senate amendments.

Section 15. All bills before the House shall be taken up and acted upon the order in which they appear on their respective calendars, and each calendar shall have the priority accorded to it by the provisions of Rule IX. With respect to a particular calendar, bills on third reading shall have precedence over bills on second reading.

Section 16. When any House bill shall be reached upon the calendar or shall be before the House for consideration, it shall be the duty of the Speaker to give the place of such House bill on the calendar to any Senate bill which has been referred to and reported from a committee of the House which contains the same subject and to lay such Senate bill before the House, to be considered in lieu of such House bill.

Section 17. On calendar Wednesday and on calendar Thursday of each week only Senate bills and Senate joint resolutions shall be taken up and considered until disposed of. Priority of consideration of Senate bills and Senate joint resolutions shall be accorded pursuant to the provisions of Rule IX, on separate Senate calendars prepared by the Committee on Rules. In case a Senate bill or Senate joint resolution shall be pending at adjournment on calendar Thursday, it shall go over the succeeding calendar Wednesday as unfinished business.

Section 18. Precedence given in this rule to certain classes of bills during the first sixty-calendar days of a Regular Session shall also apply to Senate bills on Senate bill days.

Section 19. Each bill reported favorably by a committee with recommendation that it does pass and be printed, or reported favorably with recommendation that it does pass with committee substitute and that committee substitute be printed in lieu of the original bill, shall immediately be sent to the Printer by the Calendar Clerk, and a printed copy thereof shall be placed in the newspaper mailbox of each member at least twenty-four hours before such bill can be considered by the House, except during the last ten calendar days of a session. Local bills may be reported favorably with recommendation that they do pass and be not printed. It shall be not necessary for the House to order committee substitutes printed in lieu of original bills, nor to order that local bills be not printed. A two-thirds vote of the House is necessary to order bills, other than local bills, not printed.

Section 20. All other bills, resolutions, reports, memorials, and petitions shall be printed initially on order of the House or as directed by these Rules. By majority vote, the House may order both the original bill or resolution and the committee substitute to be printed. Amendments by a committee which strike out all below the enacting clause shall be regarded as committee substitutes.

Section 21. After a bill has been taken up and read, amendments thereto shall be in order. If no amendment is made, or if those proposed are disposed of, then the final question upon its second reading shall be, in the case of a House bill, whether it shall be engrossed, or, in the case of a Senate bill, whether it shall pass to its third reading; and all bills ordered engrossed or passed to a third reading shall remain on the calendar to which assigned, but with future priority over bills on the same calendar which have not passed second reading.

Section 22. No bill shall have the force of law until it has been read on three several legislative days in each house, and free discussion allowed thereon; but in case of imperative public necessity (which necessity shall be stated in the preamble or in the body of the bill), four-fifths of the House may suspend this rule, the yeas and nays being taken on the question of suspension and entered upon the Journal. By four-fifths of the House, as used herein, is meant four-fifths of those members present and voting, a quorum being present. As used in this rule, "an imperative public necessity" shall mean only such condition or state of affairs which, if not immediately remedied, shall cause great loss of life or property; and the Speaker shall not entertain a motion to suspend such constitutional rule unless it definitely appears that such condition or state of affairs actually exists.

Section 23. When a bill has been taken up on its third reading, amendments thereto shall be in order, but shall require a two-thirds vote of the members present for their adoption; or the bill may be recommitted to a committee and later reported to the House with amendments, in which case the bill shall take the course of a bill at its second reading. After all amendments have been disposed of, the question shall be upon the final passage of the bill.

Section 24. The Chief Clerk shall certify to the final passage of each bill, noting thereon the date of its passage, and the vote by which it passed, if by a yeas and nays vote.

Section 25. No law passed by the Legislature, except the general appropriation bill, shall take effect or go into force until ninety days after the adjournment of the session at which it was enacted; except that in case of an emergency, which emergency must be expressed in a preamble or in the body of the act, the Legislature may direct that the law take effect immediately, which vote must be taken by yeas and nays and entered upon the Journal.

Section 26. After a bill has been considered and defeated by either house of the Legislature, no bill containing the same substance shall be passed into law during the same session. After a resolution has been considered and defeated, no resolution containing the same substance shall be passed during the same session.

Section 27. No law shall be passed except by bill, and no bill shall be amended in its passage through either house so as to change its original purpose.

Section 28. When a bill is before the House on its second or third reading, any Member may call for a full reading thereof; but such reading may be dispensed with by a majority vote of the House.

Section 29. Emergency measures submitted by the Governor, and emergency appropriation bills, shall have precedence on their appropriate calendar over all other bills during the first sixty calendar days of a Regular Session of the Legislature.

Section 30. A resolution to recall a bill from the Senate shall not be in order unless a motion to reconsider the vote by which the bill finally passed has been made and adopted within the time prescribed by these rules.

Section 31. During the consideration of any bill or resolution, the House may, by a majority vote, order the bill or resolution to be considered section by section, or department by department, until each such section or department shall have been given separate consideration. If such procedure is ordered, only amendments to the section or department under consideration at any given time shall be in order; provided, however, that after each such section or department shall have been considered separately, the entire bill or resolution shall be open for amendment, subject to the provisions of Section 6 of Rule XX. Once the consideration of a bill section by section or department by department shall have been ordered, it shall not be in order to move the previous question on the entire bill, to recommit it, to lay it on the table, or to postpone it, until each section or department shall have been given separate consideration or the vote by which section by section consideration was ordered is reconsidered.

Section 32. A motion to consider a bill section by section is debatable within narrow limits, that is, the pros and cons of such proposed consideration can be debated but not the merits of the bill.



Section 33. In order to assure the continuation of financial support of existing state services through the consideration and passage of the General Appropriations Bill, it shall not be in order during the first 120 days of the regular session for the Speaker to lay before the House, or for any committee thereof to consider, prior to the consideration, passage and certification by the Comptroller of the General Appropriations Bill, any bill which directly or indirectly:

1. Appropriates money from the State Treasury;
2. Prevents any money from entering the State Treasury;
3. Transfers, diverts or appropriates money in the State Treasury from one fund to another fund except from a special fund into the General Revenue Fund; or
4. Requires certification of the Comptroller under Article 3, Section 49a, of the Constitution.

The provisions of this Rule shall not apply to any bills appropriating money for:

1. The payment of expenses of the Legislature;
2. The payment of judgments against the State; or
3. Any emergency matter when requested by the Governor in a formal message to the Legislature.

The General Appropriations Bill shall be reported to the House by the Appropriations Committee not later than the seventieth calendar day of the Regular Session, and should it fail to report by the deadline hereby imposed, this Rule shall have no further force or effect during the balance of that Regular Session.

## RULE XX

### OF AMENDMENTS

Section 1. When a bill, resolution, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order; and it shall also be in order to offer a further amendment by way of a substitute. A substitute for a resolution, motion, proposition (except bills), amendment or amendment to an amendment may be offered. Substitutes may not be amended. When a substitute is adopted the question shall then be upon the matter as substituted, and under this condition an amendment is not in order.

Section 2. Three copies of each amendment, identical in text, shall be filed with the Speaker. When the amendment is read, two copies shall go to the Chief Clerk and one copy to the Journal Clerk.

Section 3. When an amendment is offered and an amendment to that amendment, and a substitute for the amendment to the amendment is offered, these questions shall be voted on in the reverse order.

Section 4. Classes of motions to amend shall have precedence in the following order:

- (a) Amendment to strike out the enacting clause of a bill (or the resolving clause of a resolution), which amendment cannot be amended or substituted.
- (b) Motions to amend an original bill, resolution, motion or proposition (other than those provided for in (c) below), which shall have precedence as follows:
  - (1) Original amendment.
  - (2) Amendment to the amendment.
  - (3) Substitute for the amendment to the amendment.

Recognition for the offering of original amendments shall be as follows: First, the main author; Second, the member or members offering the committee amendment; and Third, members offering other amendments from the floor.

- (c) Motions to amend an original bill by striking out all after the enacting clause, which amendments shall be subject to amendment as follows:

- (1) Amendment to the amendment.
- (2) Substitute for the amendment to the amendment.

Recognition for offering such amendments ("Substitute Bills") shall be as follows: First, the main author of the original bill, if he has not sought to perfect his bill by amendments as provided for in (b) above; Second, the member or members offering the committee amendment (if any there be); and, Third, members offering amendments from the floor.

It shall be in order under the procedure described in this subdivision (c), to have as many as three complete measures pending before the House at one time; that is, an original bill, an amendment striking out all after the enacting clause of the bill and inserting a new bill body, and a substitute for this amendment to the original bill which is also a new bill body. These "substitute bills" should be subject to amendments as they are offered and in a manner as outlined above in this section. After disposition of perfecting amendments, these "substitute bills" shall be voted on in the reverse order of their offering.

- (d) Amendments to the caption of a bill or joint resolution, which may also be offered in accordance with Section 8 hereof.

Section 5. A motion to strike out and insert new matter in lieu of that to be stricken out, shall be regarded as a substitute and shall be indivisible.

Section 6. Matter inserted or stricken out of an original bill by way of amendment may not be taken out or re-inserted at a later time on the same reading except under the following conditions:

- (1) Reconsideration of the inserting or deleting amendment.
- (2) Adoption of a "substitute bill" amendment.

- (3) Adoption of an amendment for a whole paragraph, section or subdivision of a bill which so materially changes the original text that the portion inserted or deleted is in fact of minor importance.

This rule shall also apply to resolutions and other propositions insofar as applicable, including amended amendments.

Section 7. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or as a substitute for the motion or proposition under debate. "Proposition" as used in this rule shall include a bill, resolution, joint resolution, or any other motion which is amendable.

Section 8. Amendments to the caption of a bill or resolution shall not be in order until all other proposed amendments shall have been acted upon and the House be ready to vote upon the passing of the measure, and the same shall be decided without debate.

Section 9. If the previous question has been ordered on a bill or joint resolution, an amendment to the caption of a bill or a joint resolution may be offered and voted on immediately preceding the final vote on the bill or joint resolution at any reading.

Section 10. When an amendment is adopted, such action shall be certified by the Chief Clerk on the amendment, and the official copy thereof shall then be securely attached to the bill or resolution which it amends.

Section 11. There shall be a motion to limit amendments, which shall be admitted only when seconded by twenty-five members. The motion may take either of two forms: (1) to limit amendments to those pending before the House, or (2) to limit amendments to those pending on the Speaker's desk. The motion shall be put by the Chair in this manner: "The motion has been seconded. Three minutes pro and con debate will be allowed on the motion to limit amendments." As soon as the debate has ended, the Chair shall continue: "As many as are in favor of limiting amendments on (here state on which question or questions) will say 'Aye', " and then "As many as are opposed say 'Nay'." As in all other propositions, a motion to limit amendments may be taken by a record vote if demanded by three members. If ordered by a majority of the members voting, a quorum being present, it shall have the effect of confining further debate and consideration to those amendments included within the motion, and thereafter the Chair will accept no more amendments to the proposition to which the motion was made.

Section 12. The motion to limit amendments, if adopted, shall not in any way cut off or limit debate or other parliamentary maneuvers on the pending proposition or propositions or amendment or amendments included within such motion, its sole function being to prevent the Chair from accepting further amendments to the proposition to which the motion is applied.

Section 13. The motion to limit amendments in not subject to a motion to table.

Section 14. If the motion to limit amendments is adopted with respect to a particular proposition or amendment, it shall not be in order for the Chair to accept further amendments to such proposition or amendment, as the case may be; however, such amendments as are included within the motion to limit amendments shall each be subject to amendment, if otherwise permitted under these rules.

Section 15. Except as otherwise provided herein, the motion to limit amendments shall have no effect upon the parliamentary situation to which the motion is applied, and the matter to which such motion is applied shall continue to be considered by the House in all other respects as though such motion had not been made.

## RULE XXI

### OF COMMITTEES OF THE WHOLE HOUSE

Section 1. The House may resolve itself into a Committee of the Whole House to consider any matter referred to it by the House. In forming a Committee of the Whole House, the Speaker shall vacate the Chair, and shall appoint a Chairman to preside in committee.

Section 2. A bill committed to a Committee of the Whole House shall be handled in the same manner as would be the case in any other committee. The body of the bill shall not be defaced or interlined, but all amendments shall be duly endorsed by the Chief Clerk as they are adopted by the Committee, and so reported to the House. When a bill is reported by the Committee of the Whole House, it shall be referred immediately to the Committee on Rules for assignment to the appropriate calendar, and shall follow the same procedure as any other bill on committee report.

Section 3. In the event that the Committee of the Whole, at any sitting, shall, for want of time, fail to complete its work on any bill or resolution under consideration, or desire to take any action thereon permitted under the rules for other committees, it may, on motion made and adopted by majority vote, rise, report progress, and ask leave of the House to sit again generally, or at a time certain.

Section 4. The rules of proceedings of the House, and for committees, shall be observed in Committee of the Whole, to the extent that they are applicable.

Section 5. It shall be in order to move a call of the Committee of the Whole at any time to secure and maintain a quorum for the following purposes:

- (a) For the consideration of a certain or specific matter, or
- (b) For a definite period of time, or for the consideration of any designated class of bills.

Section 6. When a call of the Committee of the Whole is moved and seconded by ten members, of whom the Chairman may be one, and is ordered by a majority vote, the Doorkeeper shall close the main entrance of the Hall and all other doors leading out of the Hall shall be locked, and no member shall be permitted to leave the Hall without written permission. Other proceedings under a call of the Committee shall be the same as under a call of the House.

## RULE XXII

### OF THE ORDER OF BUSINESS

Section 1. The daily order of business on a new legislative day shall be as follows:

- First: Call to order by Speaker.
- Second: Registration of members.
- Third: Prayer by Chaplain, unless the invocation has been given previously on the particular calendar day.
- Fourth: Excuses for absence of members and officers.
- Fifth: Reading and adoption of memorial and congratulatory resolutions, and the Speaker shall not lay out such resolutions for consideration by the House at any other time.
- Sixth: First reading and reference to committees of bills filed with the Chief Clerk; and motions to introduce bills, when such motions are required.
- Seventh: Requests to print bills and other papers; requests of committees for further time to consider papers referred to them; and all other routine motions and business not otherwise provided for, all of which shall be undebatable except that the mover and one opponent of the motion shall be allowed three minutes each.

The mover of a routine motion shall be allowed his choice of making the opening or the closing speech under this rule. If the House, under a suspension of the rules, extends the time of a member under this rule, such extensions shall be for three minutes. Applicable subsidiary motions shall be in order to routine motions, but the makers of such subsidiary motions shall not be entitled to speak thereon in the routine motion period, nor shall the authors of the original routine motions be allowed any additional time because of subsidiary motions.

- Eighth: Resolutions offered from the floor for twenty minutes, if not sooner disposed of.

- Ninth: Unfinished business, to be considered until finally disposed of.
- Tenth: Disposal of business on the Speaker's desk, as follows:

- (1) Senate concurrent resolutions.
- (2) Reports of committees, except those relating to bills and joint resolutions.
- (3) Postponed bills, resolutions and other propositions, to be laid before the House in accordance with Section 16 of Rule XIII.

Eleventh: Calendars of the House in their order of priority in accordance with Rule IX, unless a different order is otherwise determined under other provisions of these rules.

Section 2. When the House reconvenes the first time on a new calendar day following a recess, the daily order of business shall be:

- First: Call to order by the Speaker.
- Second: Prayer by the Chaplain.
- Third: Excuses for absence of members and officers.
- Fourth: Pending business.
- Fifth: Calendars of the House in their order of priority in accordance with Rule IX, unless a different order is otherwise determined under other provisions of these rules.

Section 3. A special order, after the first eight items under the daily order of business for a legislative day have been passed, shall have precedence when the hour for its consideration has arrived, except as provided in Sections 17 and 19 of Rule XIX.



## RULE XXIII

### SUSPENSION OF THE RULES

Section 1. A motion to suspend the rules shall be in order at any time, except when motions to adjourn or recess are pending, even when the House is operating under the previous question. A motion to "suspend all rules" shall be sufficient to suspend every rule under which the House is operating for a particular purpose except the provisions of the Constitution, the Statutes, and the Joint Rules of the two Houses. If the Rules have been suspended for a given purpose, no other motion to suspend the Rules shall be in order until the original purpose has been accomplished.

Section 2. No standing rule of the House shall be suspended except by an affirmative vote of two-thirds of the members present; provided, however, that in case any particular rule shall contain a specific provision showing the vote by which said rule may be suspended, such vote shall be required for the suspension thereof and such specific provision shall not be subject to suspension under the provisions of this rule; nor shall any other business be considered on days devoted by these rules to the consideration of Senate bills except with the consent of the Senate, when there remains any bills on any of the Senate calendars. When all Senate calendars are clear, the House may proceed to a consideration of House calendars on Senate bill days.

Section 3. The Speaker shall not entertain a motion to suspend the order of business established by the Rules for the purpose of taking up and considering any bill, resolution or other measure out of its regular order, except on calendar Monday of each week, and during the first six of the last eight calendar days of a session, Sundays excepted; provided, however, that during the first six of the last eight calendar days of a session, a two-thirds vote shall be required to suspend the regular order of business and take up any measure.

Section 4. When a request is made on calendar Monday to suspend the order of business for the purpose of taking up any bill, resolution or other measure out of its regular order, the caption shall be read and the author shall be allowed three minutes to explain the bill and one other member shall be allowed three minutes in opposition thereto. The Speaker shall then ask if there is objection to its consideration. If there is no objection, the bill shall be before the House for consideration. If there is objection, the Speaker shall, without further debate, put the motion to the House, and if carried by a majority vote, the regular order of business shall be considered suspended for the purpose of taking up and considering the bill, resolution or other measure.

Section 5. The order of business referred to in the preceding sections of this rule shall be considered the business on the Speaker's desk as prescribed in the eleventh item of Section 1 of Rule XXII.

Section 6. Any measure taken up under suspension and not disposed of on the same day shall go over as pending or unfinished business, as the case may be, of the next day the House is in session, and shall be considered thereafter from day to day (except the days used for the consideration of Senate bills) until disposed of. In case a bill goes over as "unfinished business" to a suspension day, as it would in case of an adjournment, it shall be disposed of before the suspension calendar is taken up, in compliance with the ninth item of the daily order of business for a legislative day. In case a bill goes over as "pending business" to a suspension day, as it would in case of a recess, the suspension calendar shall have priority over such pending business.

Section 7. If a member shall move to set a bill as a special order, or move to suspend the rules to take up a bill out of its regular order, and said motion prevails, such member shall not have the right thereafter to make either of these motions, or to move to suspend the regular order of business on calendar Monday to consider a bill out of its regular order, until every other member has had an opportunity to have considered, via either of these three motions, some bill out of its regular order during that session of the legislature. A member shall not lose his suspension privilege if his motion to suspend or set for special order does not prevail.

Section 8. Any bill, resolution or other measure may on any day be made a special order for the same day or for a future day of the session by an affirmative vote of two-thirds of the members present. When once established as a special order, a bill, resolution or other measure shall be considered from day to day until disposed of; and until it shall have been disposed of, no further special orders shall be made. A motion to set a special order shall be subject to the three minute pro and con debate rule.

Section 9. A three-fourths vote of the members present shall be required to suspend that portion of this rule which specifies that only one special order may be made and pending at a time.

Section 10. No special order shall be postponed to a day certain, except by a two-thirds vote of the House, and when so postponed shall be considered as disposed of so far as its place as a special order is concerned.

Section 11. A bill or resolution laid on the table subject to call may be made a special order.

Section 12. When a motion is pending to set a particular bill or resolution as a special order, it shall not be in order to move as a substitute to set another bill or resolution as a special order. It shall be in order, however, to substitute, by majority vote, a different time for the special order consideration than that given in the original motion.

## RULE XXIV

### COMMUNICATIONS FROM THE GOVERNOR AND SENATE, SENATE AMENDMENTS, AND CONFERENCE COMMITTEES

Section 1. Messages and communications from the Governor shall be received when announced, and shall be read on the calendar day received.

Section 2. All messages from the Senate shall be received when announced. Senate bills announced as passed shall be read for the first time and referred to the appropriate committee on the calendar day received, if possible, or on the next calendar day the House is in session.

Section 3. The subject matter of messages from the Senate announcing amendments to House bills and resolutions, non-concurrence in House amendments to Senate bills and resolutions, requests for conference committees, reports of conference committees, and all other matters of disagreement, amendments and requests between the two houses, shall go to the Speaker's desk in their regular order, but may be called up for action by the House at any time, as a privileged matter, yielding only to a motion to adjourn.

Section 4. When a bill, resolution or other matter is returned to the House with Senate amendments, the House may:

- (a) Agree to the amendments, or
- (b) Disagree to all of the amendments and ask for a conference committee, or
- (c) Agree to one or more of the amendments and disagree as to the remainder and request a conference committee to consider those in disagreement, or
- (d) Agree to one or more and disagree as to the remainder, or
- (e) Disagree to all amendments.

Section 5. Senate amendments to House bills or resolutions must be printed and copies provided to the members at least twenty-four hours before any action can be taken thereon by the House; however, during the last seventy-two hours of any session, it shall not be necessary for the twenty-four hour period to elapse before action can be taken thereon by the House.

Section 6. If a bill is to go into immediate effect, Senate amendments thereto must be adopted by a vote of two-thirds of the elected membership of the House.

Section 7. In all conferences between the Senate and the House by committee, the number of committeemen from each House shall be five. All votes on matters of difference shall be taken by each committee separately. A majority of each committee shall be required to determine the matter in dispute. Reports of conference committees must be signed by a majority of each committee of the conference.

Section 8. Instructions to a conference committee shall be made after the conference is ordered and before the conferees are appointed by the Speaker, and not thereafter.

Section 9. Conference committees shall limit their discussions and their actions solely to the matters in disagreement between the two houses. A conference committee shall have no authority with respect to any bill or resolution:

- (a) To change, alter or amend text which is not in disagreement;
- (b) To omit text which is not in disagreement;
- (c) To add text on any matter which is not in disagreement; or
- (d) To add text on any matter which is not included in either the House or the Senate version of the bill or resolution.

This rule shall be strictly construed by the Speaker to achieve the purposes hereof.

Section 10. Conference committees on appropriations bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. In addition to the limitations contained elsewhere in these rules, a conference committee on an appropriation bill shall be strictly limited in its authority as follows:

- (a) If an item of appropriation appears in both House and Senate versions of the bill, such item must be included in the conference report.
- (b) If an item of appropriation appears in both House and Senate versions of the bill, and in identical amounts, no change can be made in such item or the amount thereof.

- (c) If an item of appropriation appears in both House and Senate versions of the bill but in different amounts, no change can be made in the item, but the amount thereof shall be at the discretion of the conference committee, provided that such amount shall not exceed the larger version and shall not be less than the smaller version.
- (d) If an item of appropriation appears in one version of the bill and not in the other, such item can be included or omitted at the discretion of the conference committee. If the item is included, the amount thereof shall not exceed the sum specified in the version containing such item.
- (e) If an item of appropriation appears in neither the House nor the Senate version of the bill, such item must not be included in the conference report.

This rule shall be strictly construed by the Speaker to achieve the purposes hereof.

Section 11. Conference committees on tax bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. In addition to the limitations contained elsewhere in these rules, a conference committee on a tax bill shall be strictly limited in its authority as follows:

- (a) If a tax item appears in both House and Senate versions of the bill, such item must be included in the conference report.
- (b) If a tax item appears in both House and Senate versions of the bill, and in identical form and with identical rates, no change can be made in such item or the rates therein provided.
- (c) If a tax item appears in both House and Senate versions of the bill but at differing rates, no change can be made in the item, but the rate thereof shall be at the discretion of the conference committee, provided that such rates shall not exceed the higher version nor shall be less than the lower version.
- (d) If a tax item appears in one version of the bill and not in the other, such item can be included or omitted at the discretion of the conference committee. If the item is included, the rates

thereof shall not exceed the rates specified in the version containing such item.

- (e) If a tax item appears in neither the House nor the Senate version of the bill, such item must not be included in the conference report.

This rule shall be strictly construed by the Speaker to achieve the purposes hereof.

Section 12. Conference committees on reapportionment bills, to the extent possible, shall limit their discussions and their actions to the matters in disagreement between the two houses. Since the adjustment of one district in a reapportionment bill will inevitably affect other districts therein, the strict rule of construction imposed on other conference committees must be relaxed somewhat where reapportionment bills are involved. Accordingly, the following authority and limitations shall apply only to conference committees on reapportionment bills:

- (a) If the matters in disagreement affect only certain districts, and other districts are identical in both House and Senate versions of the bill, the conference committee shall make adjustments only in those districts whose re-arrangement is essential to the effective resolving of the matters in disagreement. All other districts shall remain unchanged.
- (b) If the matters in disagreement permeate the entire bill and affect most, if not all, of the districts therein, the conference committee shall have wide discretion in re-arranging the districts to the extent necessary to resolve all differences between the two houses.
- (c) Insofar as the actual structure of the districts is concerned, and only to this extent, the provisions of Section 9 of this rule shall not apply to conference committees on reapportionment bills.

Section 13. Conference committees on recodification bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two houses. The comprehensive and complicated nature of recodification bills makes necessary the relaxing of the strict rule of construction imposed on other conference committees only to the following extent:

- (a) If it develops in conference committee that material has been inadvertently included in both House and Senate versions which properly has no

place in such recodification, such material may be omitted from the conference report, if by such omission the existing statute thereon is not repealed, altered or amended.

- (b) If it develops in conference committee that material has been inadvertantly omitted from both House and Senate versions which properly should be included if such recodification is to achieve its purpose of being all inclusive of the statutes being recodified, such material may be added to the conference report, if by such addition the existing statute is merely restated without substantive change in existing law.

Section 14. Limitations imposed on certain conference committees by the provisions of Sections 10, 11, 12, and 13 of this rule may be suspended in part, by permission of the House, to enable consideration of and action on a specific matter or matters which otherwise would be in violation thereof. Such permission shall be granted only by resolution passed by a majority vote of the House, with yeas and nays thereon to be recorded in the Journal. Such resolution shall specify in detail: (1) the exact nature of the matter or matters proposed to be considered, (2) specific limitation or limitations to be suspended thereby, (3) specific action contemplated by the conference committee thereon, and (4) the reason why the suspension of such limitations is being requested. Permission thus granted shall suspend such limitations only for the matter or matters, and the bill, clearly specified in the resolution, and action of the conference committee shall be in conformity therewith.

Section 15. A conference report is not subject to amendment, but must be accepted or rejected in its entirety. While a conference report is pending, a motion to deal with individual amendments in disagreement is not in order.

Section 16. All conference committee reports on appropriation bills, tax bills, reapportionment bills, and recodification bills must be printed and a copy thereof furnished to each member at least forty-eight hours before any action can be taken thereon by the House.

Section 17. All conference committee reports on bills other than appropriations, tax, reapportionment and recodification bills must be printed and a copy thereof furnished to each member at least twenty-four hours before action thereon can be taken by the House; provided, however, during the last forty-eight hours of any session it shall not be necessary for the twenty-four hour period to elapse before action thereon can be taken by the House.



Section 18. When a conference committee report is not acceptable to the House for any reason, it may be recommitted to the same committee with the request for further consideration, and the House may or may not give any specific instructions thereon to the conference committee; or the House may request the appointment by the Senate of a new conference committee and then proceed to empower the Speaker to name new conferees for the House.

RULE XXV

PETITIONS AND MEMORIALS

Section 1. All petitions and memorials shall be filed with the Chief Clerk. Every petition or memorial shall be signed by the petitioner or memorialist. Petitions and memorials shall be printed in the Journal only when specifically ordered by a vote of the House.

Section 2. No memorial or other paper presented to the House shall be withdrawn from its files, except by order of the House. But when an act may pass for the settlement of any private claim, the Chief Clerk is hereby authorized to transmit to the officer charged with settlement the papers relating to the claim.

## RULE XXVI

### OF PRINTING

Section 1. Except as otherwise provided herein, all bills and joint resolutions shall be printed and a copy provided to each member at each of the following stages in the parliamentary progress of such bill or joint resolution, as follows:

- (a) At the time the bill or joint resolution is introduced and referred to committee, which shall be known as "First Printing".
- (b) At the time of the committee report on the bill or joint resolution, which shall be known as "Second Printing".
- (c) At the time the bill or joint resolution finally passes the House, which shall be known as "Third Printing".
- (d) At the time the bill or joint resolution finally passes the Senate, Senate amendments, if any, will be printed, which shall be known as "Fourth Printing".
- (e) At the time the conference committee, if any, makes its report on the bill or joint resolution, which shall be known as "Fifth Printing".
- (f) At the time the bill or joint resolution is finally enrolled, which shall be known as "Sixth Printing".

Section 2. No bill or joint resolution shall be reprinted after the First Printing unless changes are made therein during its parliamentary progress toward final passage, but in lieu thereof, at each of the last five of the six stages named in Section 1 of this Rule, written notice shall be provided each member (1) stating that such bill or joint resolution was not reprinted at the particular stage identified therein and (2) referring to the last previous printing of the bill or joint resolution for the correct text thereof.

Section 3. Local bills shall not be printed at any stage of their parliamentary progress except when ordered by the House by a majority vote of the members present and voting.

Section 4. Concurrent resolutions shall be printed on Second Printing only, if such resolution :

- (a) Grants permission to sue the State.
- (b) Memorializes Congress to take or to refrain from taking certain action.
- (c) Sets legislative policy or declares legislative intent.
- (d) Makes corrective changes in any bill, joint resolution or conference committee report.
- (e) Establishes or interprets policy for a State agency, department or political subdivision.
- (f) Authorizes a conference committee to include or omit from a conference committee report a matter which otherwise would be in violation of the Joint Rules.
- (g) Established, modifies, or changes internal procedures or administration of the Legislature or any component part thereof.
- (h) Proposes an amendment to the Joint Rules of the Senate and the House of Representatives.

Except as otherwise provided herein, concurrent resolutions shall not be printed unless otherwise ordered by a majority vote of the House.

Section 5. Simple resolutions shall be printed on Second Printing only if such resolution:

- (a) Proposes an amendment to the Rules of the House.
- (b) Establishes, modifies, or changes the internal procedures and administration of the House.
- (c) Establishes legislative policy or interprets legislative intent.

Except as otherwise provided herein, simple resolutions shall not be printed unless otherwise ordered by a majority vote of the House.

Section 6. Except for matter to be printed in the Journal, all requirements contained in these Rules with respect to the printing of bills, resolutions, reports, and other matters, shall be deemed complied with if such material is adequately and properly reproduced by any acceptable means of reproduction.

Section 7. Motions to print in the Journal official State documents, reports and other matter transmitted by the department heads, or to print in the Journal or otherwise memorials, petitions, documents or any other papers, shall be decided by a majority vote of the House. If such motion is contested, the Speaker shall permit the mover and one opponent of the motion three minutes each during which to debate the motion in the manner provided in Section 20 of Rule XIII.

RULE XXVII

OF ABSENTEES

Section 1. No Member shall absent himself from the sessions of the House without leave and no Member shall be excused on his own motion.

Section 2. Leaves of absence may be granted by a majority vote of the House and may be revoked at any time by a similar vote.

Section 3. The names of all absentees, both excused and not excused, shall be printed in the Journal.

## RULE XXVIII

### OF WITNESSES

Section 1. No person shall be allowed to appear before any committee of the House of Representatives, in support or in opposition to the passage or adoption of any bill or resolution, until he has first filed a sworn statement showing every person, firm, corporation, class or group which he represents in appearing before such committee. Such sworn statement shall be filed either with the Committee on House Administration or with the Chairman of the committee before which the witness is appearing.

Section 2. The form of the sworn statement required by Section 1 of this Rule shall be prescribed by the Committee on House Administration, and shall provide for the names and business addresses of the persons appearing before the committee, and the person, firm, corporation, class or group represented, and the type of business, profession or occupation of the person, firm, corporation, class or group represented.

Section 3. When such a sworn statement is filed with any committee other than the Committee on House Administration, the Chairman of the Committee with which it is filed shall deliver such sworn statement to the Committee on House Administration, to become a part of the permanent records of such committee.

Section 4. Witnesses appearing before the House of Representatives, or any committee thereof, under process of the House or of such committee, shall be allowed the same mileage and per diem as is allowed witnesses appearing before any Grand Jury in the State of Texas, such mileage and such per diem to be paid from the Contingent Expense Fund of the House of Representatives, on initial authorization of the Chairman of the committee before whom the witness is summoned to appear.

## RULE XXIX

### OF ADMISSIONS TO THE HOUSE

Section 1. Persons hereafter named, and none other, shall be entitled to the privileges of the floor of the House when the House is in session: Members of the House; employees of the House when in the discharge of their official duties as may be determined by the Committee on House Administration; Members of the Senate; employees of the Senate when in the discharge of their official duties; the Governor of Texas and his Executive and Administrative Assistants; the Lieutenant Governor; the President and Vice-President of the United States; United States Senators and Members of Congress; Governors of other states; Justices of the Supreme Court, the Court of Criminal Appeals, and the several Courts of Civil Appeals; duly accredited reporters, correspondents, and commentators of press, radio and television who have complied with Sections 10, 11, 12, 13, and 14 of this Rule; contestants in election cases pending before the House; and immediate families of the Members of the Legislature.

Section 2. Persons hereafter named, and none other, shall be admitted to the area on the floor of the House enclosed by the railing when the House is in session: Members of the House; Members of the Senate; the Governor; the Lieutenant Governor; immediate families of Members of the House on such occasions as may be determined by the Committee on House Administration; officers and employees of the Senate and House when such officers and employees are actually engaged in the discharge of their official duties as may be determined by the Committee on House Administration; and duly accredited reporters, correspondents, and commentators of press, radio and television who have complied with Sections 10, 11, 12, 13, and 14 of this Rule.

Section 3. No gentleman shall be admitted to the House Chamber while the House is in session, nor shall he be allowed to remain therein, unless he is wearing a coat and a tie.

Section 4. Food or beverage will not be permitted in the House Chamber at any time, and no person carrying food or beverage shall be admitted to such Chamber, whether the House is in session or in recess.

Section 5. Reading of newspapers will not be permitted in the House Chamber while the House is in session.

Section 6. No employee shall be admitted to the area on the Floor of the House enclosed by the railing when the House is in session except those specifically authorized by the Committee on House Administration.



Section 7. It shall be the duty of the Committee on House Administration to determine what duties by officers and employees of the House are to be discharged on the floor of the House, and specifically in the area enclosed by the railing, when the House is in session; and it shall be the duty of the Speaker to see that said officers and employees do not violate the regulations thereon promulgated by the Committee on House Administration.

Section 8. No person whomsoever, whether a State officer or not, except the Governor and Members of the Legislature, who is lobbying or working for or against any pending or prospective legislative measure, shall be permitted on the floor of the House or in the rooms adjacent thereto, while the House is in session.

Section 9. Solicitors and collectors shall not be admitted to the floor of the House while the House is in session.

Section 10. When the House is in session, no person shall be admitted to the floor of the House or allowed its privileges, as a reporter, correspondent or commentator for press, radio or television, unless such person is a regularly employed, salaried staff correspondent or reporter in the employ of a newspaper, or a press association serving newspapers, or publication requiring telegraphic coverage, or unless such person is a regularly employed, salaried employee of a duly licensed radio or television station or network.

Section 11. Any person seeking admission to the floor of the House under provisions of Section 10 of this Rule must present to the Committee on House Administration fully accredited credentials from his publication, radio or television station or network showing that he is engaged primarily in reporting the sessions of the Legislature while the Legislature is in session. Regularly accredited staff correspondents, or radio or television commentators, who have duly qualified under the provisions of this Rule, may, when requested to do so, make recommendations through their professional committees to the Committee on House Administration as to the sufficiency or insufficiency of credentials of any person seeking admission to the floor of the House under this Rule.

Section 12. If the Committee on House Administration shall determine that such credentials come within the contemplation of this Rule, said committee shall so notify the Speaker of the House in writing, who shall issue a pass card to said person, and this pass card must be presented to the Doorkeeper on each occasion when said person seeks admission to the floor of the House while the House is in session. Pass cards issued under this Rule shall not be transferrable. Persons admitted to the floor of the House pursuant to the provisions of this Rule shall be assigned to and shall work in appropriate convenient seats or work stations in the House, such assignments to be made by the Speaker.

Section 13. Every reporter, correspondent, and commentator for press, radio or television, before being admitted to the floor of the House during its sessions, shall file with the Committee on House Administration a written statement showing the paper or papers, or radio or television station or network, which he represents, and certifying that no part of his salary or compensation is paid by any person, firm, corporation or association except the paper or papers, or radio or television station or network, which he represents.

Section 14. If any person admitted to the floor of the House under this Rule, except the Governor and Members of the Legislature, shall lobby or work for or against any pending or prospective legislation or shall violate any of the other Rules of the House, privileges extended to said person under this Rule shall be suspended by a majority vote of the Committee on House Administration. The action of the Committee shall be reviewable by the House only if two members of the Committee request an appeal from the decision of the Committee, which appeal shall be in the form of a minority report and shall be subject to the same rules that are applicable to minority reports or bills. Suspension shall remain in force until the accused person purges himself and comes within the Rules, or until the House by majority vote reverses the action of the Committee.

Section 15. Permission to televise or broadcast by radio (either live, taped or recorded, including film) in or from the House Chamber while the House is in session may be granted only by the Speaker upon recommendation of the Committee on House Administration. Said Committee shall make detailed recommendation to the Speaker regarding regulations promulgated by it governing television and radio broadcasts, and such regulations shall be printed as an addendum to the Rules of the House. When television or broadcast from the floor of the House is recommended by the Committee on House Administration, it shall identify those persons in the technical crews to whom pass cards to the floor of the House and galleries are to be issued by the Speaker. Passes granted under this authority shall be subject to revocation upon recommendation of the Committee on House Administration. Each committee of the House shall have authority to determine whether or not to permit television or broadcast of any of its proceedings.

Section 16. No motion shall be in order to invite any person to address the House while it is in session, except those persons entitled to the privileges of the floor as defined by Section 1 of this Rule and except when no business is pending before the House.

Section 17. When the House is not in session, the floor of the House shall remain open on such days and at such hours as may be determined by the Speaker. At least thirty minutes prior to the convening of each session of the House, the Sergeant-at-Arms shall clear the floor of all persons not entitled to the privileges of the floor under these Rules. By resolution, the House may provide for opening of the floor of the House during its sessions for the inauguration of

the Governor and Lieutenant Governor and for such other public ceremonies as shall be deemed warranted.

Section 18. No person shall be admitted to the Members Lounge at any time except Members of the House, Members of the Senate, and former Members of the House and Senate if not engaged in any form of employment requiring or necessitating them to lobby or work for or against any pending or prospective legislative measure.

## RULE XXX

### AMENDMENTS TO THE RULES

Section 1. Amendments to the Rules of the House shall be proposed by simple resolution which shall be referred at once, without debate, to the Committee on Rules for its study and recommendation.

Section 2. Simple resolutions proposing amendments to the Rules of the House shall require only a majority vote of the House for their adoption.

Section 3. No resolution proposing an amendment to the Rules of the House shall be considered by the House until a printed copy of such resolution has been provided each member of the House at least forty-eight hours before such consideration.

## RULE XXXI

### WHEN RULES ARE SILENT

Where these Rules are silent or inexplicit on any question of order or parliamentary practice, the Rules of the House of Representatives of the United States Congress, and its practice as reflected in Hinds' and Cannon's Precedents, shall be considered as authority.